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# The Development of a Theoretically-Supported Model of Resolution for Student Complaints in Higher Education

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The Development of a Theoretically-Supported Model of Resolution for Student  
Complaints in Higher Education

by

Laura Garrido

A Dissertation Presented to the  
Graduate School of Humanities and Social Sciences of Nova Southeastern University  
in Partial Fulfillment of the Requirements for the Degree of  
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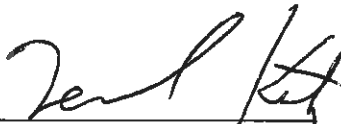
Laura Garrido  
October 2014

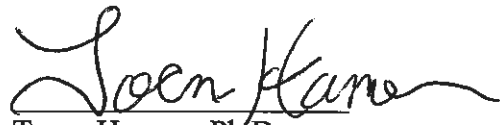
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This dissertation was submitted by Laura Garrido under the direction of the chair of the dissertation committee listed below. It was submitted to the Graduate School of Humanities and Social Sciences and approved in partial fulfillment for the degree of Doctor of Philosophy in Conflict Analysis and Resolution at Nova Southeastern University.

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## **Abstract**

Conflict in higher education is inevitable, and theoretically-driven processes in conflict resolution can be employed to help in managing conflict, or in mediating student issues. At many institutions, a student's perspective is often overlooked during the development of a conflict resolution process. In addition, the way in which conflict is handled may lack theoretical support. In conflict resolution theory, the process for resolving a conflict is often just as important as the outcome. Students may not be fully satisfied with the outcome of a mediation process when a conflict arises. However, a properly facilitated mediation session can increase the likelihood that a student's input is recognized throughout the process, resulting in empowerment of that student, and an overall sense of satisfaction with institution. An appropriate conflict resolution approach can limit negative student perceptions, and may enhance the university's reputation with students.

This study conducted a detailed assessment of the conflict resolution processes and systems of two universities. The study adopted a qualitative case study approach, including in-depth qualitative interviews with key university personnel, as well as examination of the current systems that are in place at the respective institutions. In addition, the researcher recommended a theoretically-supported system for handling student disputes/issues that takes the real-world challenges of these institutions into account. Theories from the fields of mediation and conflict resolution were applied in the context of the higher education setting to help support the process.



## **Chapter 1: Introduction to the Study**

Institutions of higher education are complex, multifaceted systems that deal with a great variety of organizational responsibilities. In order to fulfill the mission of providing education to students, colleges and universities deal with many aspects including: community service, faculty development, customer service, fund raising, athletic program development and human resource management just to name a few. Even in the context of the student experience, colleges and universities are faced with managing both the academic experience as well as the social and psychological experience of this population. One of the key aspects of the student experience that can be critical to their engagement in the university community and educational process is in the area of dispute management and conflict resolution.

Higher education institutions throughout the United States have been increasingly in competition for student recruitment. Universities are aware of the need to address the quality of service delivered by the institution, as well as any related factors that lead to student satisfaction as a way to have a competitive edge among competing universities (Brown & Mazzarol, 2009). Most universities measure student satisfaction on graduation rates and faculty and course surveys, with little thought to how the day-to-day process of being a student impacts satisfaction (Aldridge & Rowley, 2001). The current measures are questionable and somewhat ambiguous as it relates to truly assessing the satisfaction level of a student, as they do not truly identify the feelings of a student once they reach a point of conflict or have a dispute. There is a lack of theoretically supported mediation protocols to resolve student complaints and problems in higher education (Dannells, 1997; Holton, 1995). In addition, many student disputes are handled through a student

affairs office, and typically the office is established upon the policies of the student code of conduct provided by the university.

University policies in a student handbook are developed within the university system to help ensure the compliance and reduce institutional risk (Adeyemi & Ademilua, 2012; SACS, 2012). Though policies by universities are quite thorough and consistent, policies outlined for the student in a student handbook limit the quantification of any learning outcomes for the student (Volpe & Chandler, 2001). The Quality Assurance Agency for Higher Education (QAA) states that “academic quality is way of describing how well the learning opportunities available to students help them achieve their award. It is about making sure the appropriate and effective teaching, support, assessment and learning opportunities are provided for them” (QAA, 2011, p. 3). Based on this statement, the discovery of what appropriate supporting opportunities exist in the context of conflict resolution is constitutive in identifying the theories applied to a student dispute resolution processes.

Universities may or may not be adhering to a conflict resolution theory when dealing with student disputes. Some universities might fully recognize the value of implementing theory-based conflict resolution strategies that could assist in developing positive experiences for student, faculty, staff, and the administration (Brockman, Nunez, & Basu, 2010). If a conflict resolution theory is not implemented in a system that manages student disputes, the results are not measurable and without theory it is difficult to identify trends or changes in the university’s culture or approach (Hoorebeek, Gale, & Walker, 2011). The goal of the current study is to explore which conflict resolution and mediation approaches, if any, are implemented in practice. In addition, this study will

seek to bridge the gap between science and practice as it relates to university resolution and mediation practices. A theoretical framework that is not identifiable and practices that are not rooted in sound conflict resolution theory can result in negatively for all parties touched by conflict in the higher education setting. If the university's system is atheoretical, there is potential for an increase in disgruntled students and an overall negative experience that could result in a lack of engagement on the part of the student, ultimately leading to attrition. If an unknown theory is being practiced in conflict resolution to resolve student disputes, the potential for inconsistent outcomes can impact all university stakeholders. Inconsistencies in practice outcomes can pose a great challenge to the policies administered by the university and impacting university credibility (Khodayari & Khodayari, 2011).

For those universities that have not culturally embraced conflict resolution, Findlen (2000) explains that they are simply cloaking the issue and problems will remain. It is argued that conflict in higher education must be recognized to maintain a level of integrity and academia where educator and leaders learn the practices of conflict resolution (Holton, 1995). Without the recognition of conflict and adopting resolution practices that are not empirically supported, the conflict could persist and will ultimately escalate. Over time, students with disputes that are mismanaged, will become worn down and choose not to engage in seeking a resolution or drop their courses (Findlen, 2000; Harrison, 2007). A university may not feel the effect of student disengagement and dissatisfaction until they are financially impacted. Brown and Mazzarol (2009) state that it is more difficult to recruit new students, than to maintain the loyalty of those already enrolled in a degree program.

Studies in the area of conflict resolution and student disputes have indicated that effective and measurable conflict resolution practices are essential (Khodayari & Khodayari, 2011; Volpe & Chandler, 2001). While statistics vary from university to university, an ombuds office sees between 0.5 to 2 percent of the student cases a year (Harrison, 2007). Though this rate does not seem high, Harrison (2007) explains that over a four-year degree, this translates to nearly 8 percent of the student population seeking formal grievances. In a large university, this could translate into literally thousands of students over the course of an academic year. Ineffective conflict resolution strategies impact student loyalty, alumni relations, and impact a student's future decision to attend particular institutions (Elliott & Shin, 2002; Hoorebeek et al., 2011; West, 2006). Repercussions such as these are harmful to a university's reputation, and can diminish a competitive advantage over other institutions (Poole, 2000). According to researchers, managing student issues is a minor investment in to the longevity of an institution (Brown & Mazzarol, 2009; Warters, 2000).

With the cooperation of a university to offer dispute resolution services, students are willing to seek out the services provided. Historically, there has been a response to the student resolution process that has resulted in the significant increase in campus ombuds offices. Ombuds offices emerged in the late 1960s as a way to deal with campus conflict and unrest (Warters, 2000). Michigan State was one of the first universities to establish an ombuds office in 1967, and since then, over 150 other universities in the United States and Canada have implemented similar offices (Harrison, 2007). In addition, some universities across the country have adopted some form of third-party mediation for student disputes (Warters, 2000). The emergence of these offices is an indication that

there is a desire to resolve student disputes and increase student dispute resolution support. Establishing an on campus ombudsman in universities may give an opportunity to informally address problems and provide resolution in the early stages of conflict (Hoorebeek et al., 2011).

The steady increase to support students throughout a dispute resolution process using an ombudsperson within universities identifies the collaboration of academia and the incorporation of conflict resolution practices. Studies in the area of student disputes in universities explain that conflict in higher education is unavoidable, and can be embraced as an opportunity to engage the student in academic thinking in conflict resolution (Din, Khan, Rehman, & Bibi, 2011; Holton, 1995). The application of conflict resolution strategies as a service, allows a student to feel supported through mediation perhaps, which can increase a student's commitment to the institution.

Universities that are actively providing students with quality support services, have an increase in student's satisfaction rates (Elliott & Shin, 2002). Studies also demonstrate that students that are offered student support in dispute resolution by a university have an increased potential to refer a friend to that university (Aldridge & Rowley, 2001).

Though there has been an increase in the presence of ombuds offices or third-party mediation student disputes support services in higher education, few studies have critically evaluated the student resolution process to ensure that the remedy for the solution adheres to the basic tenants of sound conflict resolution and mediation practices (Dannells, 1997; Harris, 2007; Hart, 2002). Conflict resolution approaches vary in public or private universities, as they deem fit to meet the needs of the university and the nature of the conflict cases that arise (Din et al., 2011; Lewicki, Barry, Saunders, & Minton,

2003; Sandy, Boardman, & Deutsch, 2000). The research supports that the lack of a theory driven resolution process for student complaints is consistent with student dissatisfaction. Students that are uncertain of where to seek assistance, or if student disputes are treated more adversarial, a student becomes less willing to request a mediation type of service (Adeyemi & Ademilua, 2012; Dannells, 1997; Warters, 2000). Traditionally, a student's overall satisfaction with a university, faculty, or course is predicated on the responses to quantitative surveys provided by the university, which limits the true assessment of a student's satisfaction based on specific student disputes or issues (Elliott & Shin, 2002). This type of survey makes it difficult for a university to fully identify or value the opinions of a student, due to the parameters provided by a satisfaction survey. According to higher education literature, student's perceived quality of service as an "antecedent to student satisfaction" (Browne, Kaldenberg, Browne, & Brown, 1998; Guolla, 1999).

There is a reoccurring theme in research that student satisfaction is linked to customer service, which demonstrates that there is the need to cultivate relationships from the student's initial point of inquiry (Marzo-Navarro, Pedraja-Iglesias, & Rivera-Torres, 2005). Students are inundated with choices for their educational commitment based on numerous factors, and they are unconsciously subjected to "educational consumerism" (Hoorebeek et al., 2011). The educational environment has begun to acknowledge that higher education is a major service good and students are consumers and clients (Meek & Wood, 1998; Moodie, 2001). However, there is a great resistance to the characterizing students as customers in higher education (Khodayari & Khodayari, 2011; Meek & Wood, 1998; Moodie, 2001). Institutions of higher education perceive the

“student as customer” philosophy as negative. In a university setting the faculty and administration are ideally not in roles of service, and students are expected to labor for their academic success (Eagle & Brennan, 2007).

A university culture, in which these ideologies stand, generates a cautious approach when administrators are involved in aiding students with disputes. Positional power is legitimately given to faculty and administration, however power can be volatile without provisions to ensure trust and an opportunity to constructively equalize power amongst the parties (Bolman & Deal, 2008). The possibility to attain an academic culture that facilitates positive guidance in conflict resolution, allows for collaborative control in the process by both the student and the institution (Eagle & Brennan, 2007; West, 2006). By shifting the paradigm in addressing student disputes in a non-adversarial process, conflict resolution practices such as mediation, will enhance the culture of the university and enhance the quality of the collegiate experience (Volpe & Chandler, 2001).

In addition to the benefits of universities wanting to incorporate conflict resolution practices in resolving student disputes, there is pressing requirement from the Southern Association of Colleges and Schools Commission on Colleges (SACS). In compliance with federal requirements, the SACS “Principles of Accreditation” require that each “institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints” (SACS, 2012, p. 39).

These measures are in place to ensure that student complaints are a priority to a university as a means to protect the interest of the student (SACS, 2012). In addition, SACS requires institutions to have complaint policies and procedures in highly visible

areas, and that these policies and procedures are well publicized in the university's community (SACS, n.d., p. 2). Students should be aware of the path they need to seek when an issue arises, whether it as minor as a grade dispute or as sensitive as a discrimination case. SACS, in compliance with federal regulations, also requires a record of each complaint received by the institution (SACS, n.d., p. 2). A record of complaints is helpful for identifying trends in complaints, understanding the needs of students, and structural or procedural issues that may need to be addressed by the institution. In addition the SACS (n.d.) policy requires a demonstration that the issue has been resolved.

The implementation of conflict resolution theory in to a potentially fragmented process could positively influence the structure and the environment of those involved in managing student disputes. Institutions may not be formally managing student disputes using a theory driven process, and others may be unaware that their formal process has elements of a conflict resolution theory. The implication of universities using theory to support their student dispute resolution process is relatively unknown. The lack of a theory driven process in student disputes in higher education can lead to inconsistency in results and fragmentation in the process (Deem & Brehony, 2005).

The uncertainty surrounding how institutions are managing student disputes could impact the progress of the institution. Given that universities rely heavily on tuition revenue and alumni donations, it is imperative that provisions are put in place to ensure retention rates and student loyalty is high (Helgesen & Nasset, 2007). Conflict management has been suggested as a remedy to assist institutions and businesses that may be facing challenges with student loyalty and engagement. Conflict is a form of socialization that can negate students and universities from acquiring what they desire



(Adeyemi & Ademilua, 2012). Progressively, conflict resolution and mediation in a higher education can mobilize the institution to utilize the intellectual environment for collaborative problem solving amongst students and administration that incorporates harmonious university values (Volpe & Chandler, 2001).

Mediation allows for both parties to come to an agreement and settle on terms that are agreeable to both sides (Bush & Folger, 2005). Research studies have shown that student disputes escalate to unnecessary high administrative levels (e.g. the president of the university) because students feel as though they are not being attended to by through the resolution channels in place (Warters, 2000). This escalation and non-recognition of the university's needs and the student's needs, provides an opportunity for transformative mediation practices. Transformative mediation empowers and recognizes both parties of the conflict to collaboratively work leveraging their own input to aid in resolving a conflict (Bush & Folger, 2005). Deutsch, Coleman, and Marcus (2011) express the importance of shifting the focus towards transforming the relationship of the conflict, rather than focusing one's attitudes and positions. This approach is difficult to achieve without the use of an experienced mediator, and could be a disadvantage for universities by not using adequate resources to aid in student dispute resolution cases.

Bush and Folger (2005) use the term "consumer" mediation to strengthen the confidence and evoke recognition between business and consumer. The same applies in the realm of higher education, where the policies divide the needs of the student and the institution. The theory of empowering and recognizing the needs of students and the university creates a transformation in the quality of the outcome (Bush & Folger, 2005). This study will invoke a change for university student dispute resolution practices that

incorporates elements of transformative mediation process.

The purpose of this study was to seek to better understand the student dispute resolution processes practiced by 2 universities in Florida (1 private, 1 public). Recommendations were made for universities to align processes with supported literature and principles of transformative mediation theory. The analysis of these universities included highlighting the similarities and differences of the processes, including comments as to which aspects of the process are consistent with conflict-resolution theory and which are antithetical. Second, this study offers a theoretically-based student dispute resolution process that will be amenable to the unique aspects of an institution of higher education.

The analysis was intended to help gain a better, more thorough understanding as to how the institution currently manages student issues and whether their processes are consistent with theoretically-supported models. This study offers a theoretically-supported system with prescriptions of transformative mediation for handling student disputes in higher education. Theories from conflict resolution and mediation were applied to a higher education setting in an effort to develop a robust system that adequately deals with issues common to universities.

Principles of transformative mediation were applied to this project as the theoretical lens used to diagnose and resolve the conflict. Transformative mediation presents a framework to mediation which transforms the conflict from negative to productive by identifying a series of conceptual frames, e.g. problem-solving, harmony, and transformative (Bush & Folger, 2005). Transformative mediation is based on an alternative ideological perspective, which accedes conflict to evolve (Folger, 2008). The

key element in transformative mediation is the human interaction, by providing recognition and empathy, the conflict has the ability to maneuver through the conflict more positively (Folger, 2008).

In higher education there is an informal power gap between administration and student, where the university has positional power (Brockman et al., 2010; Folger, 2008). The existence of this power creates a divide among the parties where parties become myopic and self-absorbed (Folger, 2008). Students that are confused and unsure of where to seek resolution and how their dispute will be handled, raises this self-absorption and can lead to an escalation in the conflict. As the conflict begins to escalate the interaction degenerates (Bush & Folger, 2005), providing students with reason to disengage with the university.

The interest-based transformative mediation approach can facilitate a conflict between parties with trust. The most productive student resolution programs are those that are embraced by a university community that provides an environment of caring and compassion (Dannells, 1997). This framework would be beneficial to universities to engage students in a productive conflict resolution process. Bush and Folger (2005) explain that recognition “means the evocation in the individuals of acknowledgement, understanding, or empathy for the situation and the views of the other” (p. 22), and the term empowerment is defined as having a “greater sense of strength of self, including self-respect, self-reliance, and self-confidence (p.13).” Exploring transformative mediation to assist universities with student disputes provides a supporting framework to influence a substantive relationship. As Dolinsky (1994) states that incorporating a culturally supportive conflict resolution framework is crucial to a university’s success.

## Definition of Terms

The term conflict will be used in this study as it has been defined by previous researchers. Bens (1997), reports that conflict is a tension that is experienced when a group of people feels as if their needs or desires are likely to be denied. Also, Wilmot and Hocker (2001) define conflict as “an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce rewards, and interference from the other party in achieving their goals” (p. 21).

In this study, the researcher will focus on institutional-level disputes related to the students’ academic experience including

- *Course complaints* refers to any complaint related directly to the course.
- *Faculty complaint* is a complaint related to the instructor of a course in which a student is registered. Examples may include lack of responsiveness from faculty, inadequate feedback on assignments, difficulty contacting faculty member, or faculty attitude.
- *Grade dispute* refers to a situation in which a student is not accepting of the grade that was administered.
- *Process complaint* is any complaint related to logistical services provided to the student. Examples may include: inability to contact advising services, inability to receive appropriate information in student services, or lack of clarity in finding support services.

The definition of *conflict resolution offices* will include any office that manages and resolves student complaints or disputes. These offices may include office of student services, office of student affairs, ombuds office or ombudsperson, office of mediation

services, and the office of judicial affairs.

## **Chapter 2: Literature Review**

This study investigated the dispute resolution processes that exist in higher education. Specifically, the study will seek to explore in depth the processes that are currently in place, with an emphasis on trying to examine the theoretical framework for current student resolution practices. Results of the research will serve as a guide towards recommendations in implementing an evidence and theoretically supported system if needed, specifically with aspects of transformative mediation. The study will explore the conflict management process in depth, by evaluating the mediation process accessibility and specifically meeting the needs of student and the representing parties of the university's student resolution process. The study may allow for recommendations in implementing theoretically based strategies to ensure satisfactory outcomes.

### **Student Satisfaction**

Previous research has examined student satisfaction and the implications towards student retention and loyalty at the higher education level. Surveys have been used as the primary indicator of student satisfaction. According to Aldridge and Rowley (2001), student withdrawal rates increase when a student is dissatisfied with the higher education program in which they are affiliated. In addition, students needed more support from faculty and administration in order for them to feel a part of a successful higher education program (Aldridge & Rowley, 2001; Bennet & Kane, 2010). According to Aldridge and Rowley (2001) students needed more support in areas of financial aid, assistance with domestic needs, e.g. accommodating with work schedules and family life. The needs of students have recently shifted from wanting a university education to solely meet their career goals, to the desire of the university to accommodate their schedule goals.

Today's student is balancing an increasing number of challenges compared to students 20 years ago. Student populations have changed significantly, with more students today looking "nontraditional" than in decades past. Typical students today are often carrying a fulltime job, family responsibilities, and heavy financial strain from a poor economy and the rising costs of education (Elliott & Shin, 2002). It is not uncommon for withdrawal to be the ultimate outcome for these students, as the lines between their personal stressors and that of attending school becomes increasingly blurred (Aldridge & Rowley, 2001; Bennett, 2003). Domestic difficulties such as issues with childcare, work schedules, financial strain and lack of services to accommodate these stressors contributed to a student's decision to ultimately withdraw (Burke, 2004). Aldridge and Rowley (2001) suggest that the institution can exercise some control over assisting with decreasing these decisions to withdrawal by proactively providing supportive measures, such as responsiveness to student issues and creating reasonable timelines for domestic strains.

In addition to the influencing factors for withdrawal stated above, Korbel, Lucia, Wenzel, and Anderson (2011) suggest that students with disabilities are often disengaged from higher education institutions due to lack of support in addressing their psychological or physical condition. More than 1 percent of students enrolled in an institution of higher education enter with a documented disability (Raue & Lewis, 2011). College students with disabilities such as Asperger's Syndrome, Post Traumatic Stress Disorder (PTSD), Chronic Illness, and Attention Deficit/Hyper Disorder (ADD/ADHD), have challenges interacting with peers, faculty and staff (Korbel et al., 2011). Students with disabilities are challenged with socialization and self-esteem, which impacts their

decision to seek assistance if a dispute or issue arises throughout their higher education experience (Bennett, 2003; Korbel et al., 2011). Social integration is one of the primary indicators of student success, which can be nurtured with academic support, faculty involvement, and opportunities made available to assist students with disputes (Elliott & Shin, 2002; Heyman, 2010). Students with disabilities face a distinct set of challenges in their higher than those with domestic and financial reasons for disengagement and withdrawal (Herbert, 2006; Nichols & Quaye, 2009). Fostering an environment of institutional support and mediation to assist students with issues, provides enhancement of academic success, engagement, and retention (Belch, 2004; Harper, Harper, & Quaye, 2008). Students with disabilities that are not accommodated by faculty and staff are more likely to have frequent absences from class, and are more reluctant to seek assistance from a faculty member should they have an issue that requires faculty or administrative support (Korbel et al., 2011). Each of these challenges has been addressed in research studies, but not specifically when a student is faced with a dispute related to the institution.

### **Cultural Challenges**

International students are faced with a different type set of issues that interfere with their ability to engage in the institutional experience. International students are challenged with socio-cultural barriers in a higher education environment (Li & Gasser, 2005). These barriers are not limited to language, but also the ability to express feelings, emotion, and challenges with self-disclosure (Furnham & Bochner, 1986). Additionally, many international students are intimidated by the formal higher education structures and bureaucracy, finding them difficult to understand and navigate (Arambewela, Hall, &



Zuhair, 2005; Constantine, Okazaki, & Utsey, 2004). This can pose difficulty should an international student have a complaint or a student dispute that has the potential to be mediated. Research states that international student satisfaction weighs heavily on international student orientation programs and international student counseling services (Arambewela et al., 2005). These services are comforting and accommodating to international students, but also confirm the need for the humanistic and relationship approach that is founded in mediation services and theoretical practice.

Relationships and accessibility to staff are a few of the key components to student satisfaction overall, especially in undergraduate students; students who feel their relationships are stronger with faculty or staff have are more likely to not drop out of their prospective higher education programs (Bennett, 2003). Similar interests have been noted by international students, as international students are in global demand for higher education from American institutions (Arambewela et al., 2005). Education is a service experience to international students, and findings in the study of Postgraduate International Students from Asia: Factors Influencing Satisfaction, discovered that not only high quality education was important but keeping the student's interests and needs in mind were just as influential on satisfaction (Arambewela et al., 2005). Research suggests that international students are less prone to vent openly about their dissatisfaction, however Hart and Coates (2011) found that a group of Asian student consumers are likely to use negative word of mouth on their dissatisfaction of a university. Negative word of mouth can result in a poor reputation for a university, and defeat the efforts of the institution to recruit high quality students.

### **Student as Consumer**

In the effort to prevent bad word of mouth publicity by unsatisfied students, a university can take preventative measures to understand the nature of the complaint. Understanding the diversity in student's complaint behavior can help a university cater to minimize the negative word of mouth publicity from unsatisfied students (Hart & Coates, 2011). Dolinsky (1994) states that, "efforts to minimize and to address student complaints are crucial for ensuring a university's success" (p.28). Student dissatisfaction that is mismanaged or not addressed throughout the university can be damaging to any institution. Some theorists believe that if universities do not treat students as consumers, they are likely to lose those students to other universities that are more collectively student focused and demonstrate the importance of resolving their problems (Hart & Coates, 2011). The competitive nature of higher education calls for students to be treated with close attention and detail, especially at high times of stress. Domestic and international students alike have an increasing amount of university choices, and their demands call for universities to be more aware of student retention and complaint management strategies to ensure a successful resolution (Hart & Coates, 2011). There is an evident division in the for-profit and non-profit institutions. The for-profit universities have a vested interest in taking preventative and managerial measures to ensure student satisfaction. The result of a satisfied student is the lesser chance of negative publicity, and the probability that a student will seek advanced degrees within the institution, providing long term revenue for the institution.

### **Marketing, Customer Service and Students**

Customer service is a central point of emphasis in the retail industry, and it has been largely ignored in the business of higher education (Eagle & Brennan, 2007).

Historically, institutions of higher education were reserved for the intellectually elite and those of upper-middle class or higher socioeconomic backgrounds. Over the last 30 years, the landscape of higher education has changed significantly with a growing demand for advanced degrees driven by an economy that rewards college graduates with greater job stability and wages than their non-college graduate counterparts (Bejou, 2005; Clayson, Haley, & Loukogeorgki, 2005). With this growth, the demand for services by prospective students in higher education has increased.

Some higher education institutions have recognized the need to adopt a more corporate direction by increasing student-centered features in the university culture (West, 2006). Curriculums and entry requirements for students have become more competitive in meeting the student consumer needs and the relation to meet higher education institution's mission (Khodayari & Khodayari, 2011; Levin, 2005). With enrollment on the incline, higher education institutions are becoming more vigilant about increasing student mobility and identifying these students as consumers. According to Snyder and Dillow (2013), enrollment in post-secondary degree-granting institutions "increased 32 percent, from 15.9 million to 21.0 million between 2001 and 2011" (p. 307).

Many institutions have re-strategized their marketing efforts to attract new students in forms of recruitment, and to maintain the loyalty of the student to degree completion (Helgesen & Nasset, 2007). The success of these institutions that have incorporated insights from a business perspective is attributed to identifying students as consumers (Levin, 2005; West 2006). Students have a commodity value based on the tuition they pay, and students are commodities to a higher education institution by the

skill and knowledge that is provided to them (Levin, 2005). Higher education institutions routinely promote themselves as being individually student focused, crafting messages that are personal and direct. Messaging often focuses on the choice that students have in how and when their courses will be delivered giving the student a strong sense of control for their educational experience. In addition, institutions are looking at granting academic credit for life experience as a way to flex traditional standards in order to attract students. All in all, these changes have been significant given that higher education has historically been steeped in a tradition of relatively high levels of structure and control. The result is an institution that is forced to change their entire business process in order to accommodate the new direction and identity being promoted.

### **Resistance to the “Student as Consumer” Approach**

This new approach has been met with some resistance by universities that are more traditionally built and structured. Treating a student as a consumer could be corrosive to the institution and create a culture of entitlement (Eagle & Brennan, 2007; Singleton-Jackson, Jackson, & Reinhardt, 2010). Though the debate remains on the positives and negatives of addressing students as consumers, evidence has surfaced that placing value on student/customer thoughts and buying behaviors are essential to managing a higher education business (Woodall, Hiller, & Resnick, 2014). Additionally, implementing a form of service-delivery process through student service or mediation assistance can be beneficial to those institutions that are hesitant to identify students as consumers to enhance the educational experience. Khodayari and Khodayari (2011) state that “teaching is a service while learning is an experience” (p. 38). Students, whether online or on-campus have a greater sense of loyalty when resources are accessible to

enhance the educational journey (Bennett & Kane, 2010; O'Brien & Renner, 2002).

Researchers argue that identifying students as consumers is a progressive quality movement for higher education institutions, and institutions that fail to provide support for students in this manner can lead to mismanaged and counter-productive efforts (Eagle & Brennan, 2007). Students have more choices readily available to them, and there is variance of educational institutional qualities. Students have variability in what they perceive as a quality experience while enrolled in a higher education institution, which can serve as an opportunity for a university to make modifications to processes throughout (LeBlanc & Nguyen, 1997; Lake, 2009). By building awareness of student's needs, higher education institutions can become more student-focused and provide support for students to emphasize the learning objectives (Lake, 2009).

### **The New “Traditional” Student**

Higher education institutions have become challenged with trying to meet the needs of students through updated curriculums and the pressure to recruit new students. With increased recruitment efforts as marketing function has led to the inability to serve students (Slaughter & Rhoades, 2004). The “if you build it they will come” theory has become prevalent in regards to recruitment and enrollment (Findlen, 2000). However, specific strategies and targets of recruitment were generally limited to high school-aged adolescents that showed academic promise in their high SAT scores and grade point averages. The academically average/marginal student was often afforded little opportunity to enroll and was typically ignored by higher education recruiters. Other less traditional populations of potential students, including earners of the GED, adult learners looking for a career change, students with limited English proficiency, the physically or

mentally disabled, have also been overlooked. According to the Florida Department of Education (2003):

The typical student in the Florida Community College System (FCCS) is not the “traditional” student. For the FCCS, the typical student is the “non-traditional” student. This group of students is enrolled part-time, works full-time, or has outside family and personal responsibilities that impact their learning and overall college success. These students have non-academic hurdles that must be overcome on the way to obtaining a degree (p. 1)

The National Center for Education Statistics (NCES) reports that of the “17.6 million people enrolled in college in the fall of 2011, only 15 percent were attending a four-year college and living on campus. Thirty-percent were enrolled part time, and 32 percent worked full time” (Jenkins, 2012, para. 5). Jenkins (2012) also notes that by the year 2019, there will be an increase of non-traditional students by 20 percent. Predictions such as these now imply that the non-traditional student be the new “traditional” student for a university (Jenkins, 2012).

### **The Impact of Online Education**

Students that have more choices have increased the competition in universities strategies to compete in a more competitive, global market (Brown & Mazzarol, 2009). With convenient options and flexible programming of online universities, universities are recognizing the need to place emphasis on student service and student satisfaction (Elliott & Shin, 2002; Tsinidou, Gerogiannis, & Fitsilis, 2010). Some universities have embraced the competition for students by placing heavy efforts on recruitment, which Rovai and Downey (2010) state may not be the answer to help with attrition rates. Research

recommends aligning recruitment and marketing efforts with a support service pedagogy to help with student retention (Rovai & Downey, 2010).

In particular, large online universities have received criticism and sanctions from accrediting bodies for heavy recruitment efforts and low student retention and graduation rates. Burnsed (2010) recommends that prospective students note the retention rates of online universities, e.g. University of Phoenix, 38% of full-time students graduate, whereas Walden graduates 80% of full time students. It is estimated that numbers decrease substantially for the number of graduates that are part-time students. University of Phoenix, as predominant online university, faced a lawsuit in 2009 for allegedly compensating recruiters based on the number of students enrolled, which violates federal and state laws (Stratford, 2012). Alleged recruitment practices as these create an apprehensive student, which may be leery of the ethical practices and commitment to their education. The competitive advantage in the educational market should not be measured by the quantity of students that are enrolled, but rather the outcome of students to achieve academic and career success. And students that are heavily recruited without guidance in to a degree path that will lead them towards their ultimate career goal express dissatisfaction.

### **Student Satisfaction and Higher Education**

Dissatisfied students are more likely to withdraw from courses, and ultimately drop out of higher education. However, unhappy students do not solely surface at the time of dropping out of college, in fact, several studies suggest that students are willing and readily complaining about the time and money that they are investing and not receiving what was promised. Research from the Gallup organization demonstrates that

students are most satisfied when an institution handles a dispute or complaint in a fair, clear, and transparent fashion (McEwen, 2005). Surprisingly, students that have had a dispute or complaint that was adequately rectified are more engaged to the institution than those students who have never registered a formal complaint. Predictably, students who have registered a formal complaint that was not resolved sufficiently are most disengaged. The bottom line is that students are not seeking perfection in order to be fully satisfied with their educational experience, but want to know that there are reliable, consistent and effective resolution processes and procedures should a problem arise (McEwen, 2005).

Current student dispute resolution service units have been designed to handle all the logistics that surround the student experience (e.g., residential life, registrar, advising just to name a few). Student services departments have been designed with thought and purpose. Generally, universities have a multifaceted student services division that handles is designed to address the diverse needs and interests of the students they serve. However, many of these systems are built on old university structures that may not adequately meet the needs of today's student. In addition, questions still remain as to whether these systems are designed and implemented in empirically-supported, theory based models (Volpe & Chandler, 2001). This appears to be particularly true in the area of conflict management where many of these conflict management systems focus on the party's issues rather than on the peace and reasonable outcomes as would be dictated by sound conflict resolution theory (Warters, 2000).

### **Conflict Resolution and Mediation for Students**

The student support service staff members in these types of departments approach



conflict in a manner to temporarily resolve the dispute or issue. Warters (2000), names these types of responses to conflict as Band-Aid responses. Responses to student conflicts that are not investigated to identify the root causes of the problem are then difficult to assess. Without the proper training of staff members in student affairs or in student dispute resolution offices, the outcomes will vary based on the individual staff member that handles the complaint. The perception and success of the resolution can then be skewed. In lack of a valid protocol in the area of mediating student conflict, there are structural inconsistencies and inequities in student disputes (Findlen, 2000; Warters, 2000). A fragmented process invalidates a student service experience because the measure of success may be unknown (Brockman et al., 2010). An assessment of root causes for student disputes can aid in transforming the conflict, by giving conflict management staff a comprehensive understanding on potential solutions (West, 2006).

Since the 1960s, universities and colleges have progressed towards improving conflict resolution processes on campus. Campuses have developed “campus ombudsperson offices, new peace and conflict studies programs, employee assistance programs, diversity training and sexual harassment prevention programs, and revised and improved campus judicial grievance procedures” (Warters, 2000, p. 1). The expansion of these programs is a reflection of the need for student support, and it also contributes to the growth of over 200 campus-based mediation projects that currently exist (Warters, 2000). This positive growth identifies the need for campus conflict management, however the conceptualization behind the programs is unclear. There is a diverse array of programs that exist on college campuses both in private and public institutions, e.g. “counseling centers, ombudsperson’s offices, student government organizations,

academic programs, research clinics, employee assistance programs, human resource departments, residential life programs, deans of students offices, campus judicial systems, off-campus housing offices, faculty committees, student cooperatives” (Warters, 2000, p. 2). The variance of cases that these offices or programs manage is extensive: “student-disputes, organizational or intergroup disputes, neighborhood conflicts, staff peer and supervisor-supervisee conflicts, sexual harassment disputes, student, staff, and administration disputes, internal and interdepartmental faculty conflicts, town-gown conflicts, and student protests and occupations” (Warters, 2000, p. 2).

The supportive programs and services provided demonstrate a disparity, in the process or if the program meets the expectations of the parties involved in the case. With many of these conflict resolution programs being located in different campus offices, such as judicial affairs, student services, student affairs, residential life, etc., creates inconsistency and confusion for a student with a dispute case. The culture of the university, hierarchical structure, and leadership of those involved to aid the campus conflict, weighs high on unpredictability (Warters, 2000). The variability in structure and location can discourage the seeking out of conflict resolution services. A student with a minor conflict may hesitate to seek assistance in the conflict management service office if the services are located in judicial affairs, out of fear of disparate treatment.

The ambiguity of the foundation for which the dispute resolution offices were created implies that staff may not be trained in conflict resolution or mediation. With the vast diversity in the office’s main point of emphasis, the case is open to different outcomes. Impractical expectations of the process and solution may surface during the case, because of the inconsistency in training by staff engaged in the conflict

management process. Holmes, Edwards, and DeBowes explain that being impartial in a conflict resolution process is challenging because of the socialization and background of the facilitator (as cited in Schrage, 2009). Student conflict resolution professionals in higher education are charged with upholding policies, standards, and values of the institution which can disengage a student if the approach by administration or the facilitator is adversarial or oppressive (Schrage, 2009). If a mediation process is mandatory for students with a conflict in a higher education setting, the student is less likely to open to the process (Keltner as cited in Jameson, 1998).

### **Building Conflict Resolution Systems in Higher Education**

The delicate nature of campus conflict can require practical training to encourage students to feel comfortable seeking assistance (Harrison, 2007). Campus conflict is inevitable in higher education settings, and conflict resolution professionals and mediators are slated with a difficult task of servicing students while adhering to the political framework of a university (Adeyemi & Ademilua, 2012; Findlen, 2000; Schrage, 2009). Therefore collective training of staff in conflict resolution can help bridge the gap between student service and university policies. Professionals that are untrained in the area of conflict resolution may be unaware of the potential outcomes that can be derived from the introductory strategies of conflict resolution (Findlen, 2000). This can leave the facilitators at a disadvantage from supporting the student and the university in the best way possible.

Having trained staff in conflict resolution with a structured process can express the institution's duty to protect students from unfair institutional or individual policies and practices (Warters, 2000). Conflict resolution or conflict management trained

professionals can guide individuals to potential solutions that make resolution more likely (Adeyemi & Ademilua, 2012). The trained staff will be able to provide some flexibility and fairness, and this is less likely if a student enters in to a judicial process through a university protocol. A student that has a dispute case that is mismanaged by the university generates a negative wedge in the relationship with the university, and not the staff member handling the dispute. If the facilitator is trained in conflict resolution, the greater the chance that the relationship and the service outcome will be positively aligned (Mason & Simmons, 2012). Trained conflict resolution specialists, or mediators can generate more effective and positive outcomes to conflict because they maintain the competencies needed to reach a resolution.

Mediation as a form of conflict resolution provides the support that students need to express their concerns and issues, understand their responsibilities, identify fair options, and recognizing other's perspectives (Warters, 2000). Providing staff with training and professional development in theoretically-oriented and empirically supported mediation practices will allow for the increased chance of providing more successful resolutions to conflicts (Brockman et al., 2010). A more systematic, theory-driven conflict resolution protocol that takes into account the antecedents of the problem as well as the needs of the respective parties will undoubtedly lead to a greater likelihood of the conflict being resolved (Brockman et al., 2010; Findlen, 2000).

The selection process for staff in the conflict resolution offices is also critically important to the ultimate success of the office. Each mediation office should be comprised of individuals with a basic background in conflict resolution and mediation theory to ensure that their approach is not haphazard and random, but structured and

science-based. The fundamentals of mediation are also necessary components of the office's structure and mission, and should also be reflected in the skill set of the personnel that comprise the mediation office. The office should aim to employ individuals that are capable and knowledgeable in the ten basic mediator skills outlined by Girard, Rifkin, and Townley (1985). These 10 basic tenets include:

1. Establishes rapport and trust with the disputants and between the disputants
2. Facilitates communication such that disputants are able to state and hear positions, feelings, and perceptions in ways that promote communication and lead to new options for resolving the conflict
3. Clarifies issues, perceptions, and information for each disputant and between disputants
4. Recognize and interrupts communication patterns that prevent dialogue and resolution
5. Sees and helps others to see both self and mutual interests
6. Helps people moderate positions while saving face
7. Minimizes the effects of power imbalances on negotiations
8. Determines when negotiating is not in good faith
9. Acts impartially
10. Maintains confidentiality

These fundamentals serve as a reminder that all conflicts are multifaceted and require a multifaceted approach to resolution. As individuals, potential mediators are influenced by their environment. It is possible to have potential mediators from a variety of departments throughout the institution's infrastructure. Each potential mediator can

contribute to facilitating mediation in a unique perspective from their work influence and cultural influences, which could enrich a mediation office. Warters (2000) suggests that this can be an advantage since there are an array of conflicts that can surface in higher education, individual mediators can be matched based on characteristics of case. This demonstrates an example of the flexibility to incorporate all areas of higher education to assist the student towards a resolution.

Since higher education and conflict resolution programs within institutions are so distinct, a pre-selection process could be necessary in defining who may be best fit for campus-based mediation. Colleges and universities are comprised of so many different types of offices and units, each equally responsible for fulfilling the mission of the school but with varying degrees of emphasis. For example, faculty teach students, the registrar manages student logistics, and the Dean of Students typically helps in ensuring a positive on-campus student experience. All these offices contribute significantly to the successful engagement of the student. That said, should issues arise in any of these areas, strategies for analysis of the problem and corresponding resolution should be guided by a mediator that has some background or experience in the logistics of each unit. While it is unrealistic to have meditation specialists for each of the diverse areas represented within the university, mediators should be selected on a set of criteria that increase the likelihood of successful outcomes. Staff in mediation offices should be selected based on the criteria outlined by Warters (2000). These criteria include:

1. Contributes to demographic and cultural diversity: age, sex, sexual preference, race, town residence (if the program serves in many towns), socioeconomic status, job classification, years until graduation.

2. Has a clear personal communication style: listens closely, showing attention and demonstrating understanding, speaks clearly with understandable syntax.
3. Has valuable personal skills and abilities (in addition to good communication skills): has respect of peers, self-confidence, empathy, leadership, or trainer potential, ability and experience speaking in front of groups, previous training and experience as a neutral.
4. Has specific knowledge in areas relevant to the program's target population: applicable laws, university procedures, student development theories, family, dynamics, domestic violence issues, grievance procedures, sexual harassment policies, etc.
5. May increase political connections within the university structure (for example, ties to key parts of the administration, counseling center, judicial program, union, board, academic departments, or campus police).
6. Has good availability: some mediators may only be available in the evening, while others are flexible.
7. Shows high level of commitment: Agrees to attend training and attend in-service trainings and to work one evening a month as needed (or whatever the expectation is deemed necessary).

Choosing competent potential mediators provides the foundation towards a commitment to student satisfaction and conflict resolution. As Holton (1995) explains, if the university wants to change leadership and how they lead, then universities must develop leaders throughout all sectors of the institution in conflict resolution. Institutional

development and commitment to conflict resolution and mediation exhibits a commitment to student's needs and interests.

Most conflict resolution and mediation services provided by colleges and universities are designed to meet the needs of traditional campus-based students. Typically, the offices are physically present in the heart of campus and mediation is done in a face-to-face session. With the ever increasing number of nontraditional students (students that are either part-time or those that take courses online), an effective mediation center should be designed to handle the unique needs these students pose. For example, a primary complaint of the nontraditional student is that the institution does not effectively communicate with students, often leading to feelings of isolation (Florida Department of Education, 2003). Limited communication can hinder the effectiveness of a potential resolution process and a student may be misguided in the appropriate process in finding the assistance needed.

Instances such as these pose some challenges for non-traditional students, as they do differ from their traditional counterparts. Jenkins (2012) explains that non-traditional students have personal, family, and academic circumstances unlike the traditional student. Many non-traditional students have children, work full-time to support their family, and potentially have been out of school for some time and need extra assistance to succeed academically (Florida Department of Education, 2003; Jenkins, 2012). Providing the number of obstacles for non-traditional students, avenues for assistance, including dispute resolution processes, flexibility and customized processes can be implemented to meet the needs of the student.

### **Applying Theory to Student Conflict Resolution Systems**



As the area of conflict resolution has expanded, so has the curiosity for seeking resolution pathways in higher education. Administrators in higher education identify the need for a resource that assists students with grievances or disputes, and Schrage (2009) encourages identifying the space between incident and the resolution path. The space is described as the area where creative resolution methods can be applied, while honoring the stories of individuals in a dispute (Schrage, 2009). The perspectives of the incidence in this space may vary based on the dispute or grievance, which implies that each case is unique and should be managed with regard to various options (Schrage & Thompson, 2009).

The Spectrum Model developed by Schrage and Thompson (2009) encourages student development and provides a framework for student affairs educators to focus on incident management and the unique needs of each case. The model identifies informal to formal processes, that a practitioner can identify and choose the best resolution pathway.

1. No Conflict Management
2. Dialogue
3. Conflict Coaching
4. Facilitated Dialogue
5. Mediation
6. Restorative Justice
7. Shuttle Diplomacy
8. Adjudication (Informal Resolution)
9. Adjudication (Formal Resolution)

Schrage and Thompson (2009) place mediation in the center of the spectrum as a

reasonable pathway for both informal and formal cases. Mediation serves as an option for student affairs administrators that may not have access to the other forms of conflict resolution opportunities as mentioned. In addition, mediation in particular has gained popularity in conflict resolution as a result of its effectiveness in reducing the reoccurrence of the conflict, reducing the cost of lengthy litigations, increased party satisfaction with the outcomes of the dispute, and enhancing relationships amongst the parties (Moore, 2003; Warters, 2000; Wilmot & Hocker, 2001).

Mediation is an interest-based approach to conflict resolution with a primary focus on interests of the parties, as opposed to positions of the parties or their predetermined solutions; this perspective helps to guide the conflict toward a settlement or resolution (Moore, 2003; Pruitt & Kim, 2003). In higher education there exists some variability in the approaches used, based on the complexity of the problem. Warters (2000) explains that problems in higher education can be relational or substantive, or most commonly a combination of both. Thus, creating a challenge towards a mediation approach in assisting student's with a formal or informal mediation process.

The predominant mediation models in higher education, as outlined by Warters (2000), includes problem-solving, narrative, social justice, and transformative. The facilitative problem-solving approach is the most commonly used as an interest-based approach. Mediators using this approach understand that conflicting parties may have positions that are unyielding, but with skilled questioning by the mediator, the true interests of each party are revealed. As the interests are identified, parties can then work progressively towards a mutually acceptable agreement. With this model, reaching a settlement through compromise and bargaining are the primary goal (Warters, 2000).

Interests can include the following: fears, concerns, needs, desires, or benefits (Moore, 2003). Facilitative mediators using the problem solving approach assist in the communication process amongst the parties, while evaluative mediators using the problem solving approach provide options and narrow topics amongst the parties in legal and contract related issues (Riskin, 2003).

Narrative mediation is perceived to be an extension of the problem solving approach. With this model, mediators are interested in how the conflict story between the parties affects their lives, and if the stories are indeed factual (Warters, 2000). The narrative mediation process, according to Winslade and Monk (2000), proposes that the conflict stands between the parties, and as the parties move through the stages of engagement, deconstructing, the conflict-saturated story, and constructing an alternative story, the parties will view the dispute from a different vantage point. The narrative mediator uses the conflict as an external object, as a strategy for the parties to escape from the domination of the problem, and focus on cooperation and mutual respect of one another (Winslade & Monk, 2000).

Social justice mediation was developed as a variant model of narrative mediation. Though, somewhat similar, social justice mediation provides an approach towards understanding how social structures and inequalities limit the narratives of the parties involved (Warters, 2000). The principal of social justice mediation is in understanding oppression theory, core social justice concepts, and racial identity development concepts (Warters, 2000). Mediators in social justice mediation are impartial, neutral, or symmetrical. Impartial mediators do not take a side, neutral mediators choose one side, and symmetrical connects to each of the parties and provides equal speaking time (Cobb

& Rifkin, 1991). The social justice approach requires greater amount time using shuttle mediation and separate sessions for parties to express their reactions to cultural concerns (Warters, 2000).

A final extension of mediation is the transformative mediation approach. The goal of transformative mediation does not necessarily seek a goal towards a resolution, but rather empowerment and recognition of the parties involved (Warters, 2000). Parties that are empowered have the ability to clarify issues, seek their own solutions, and increase their ability to make decisions (Bush & Folger, 2005). Recognition enables the parties to understand the other person's perspective, how they interpret the problem, and why they seek the solutions they do (Warters, 2000). A mutually agreeable settlement may be a result of empowerment and recognition, but a successful mediation, according to Bush and Folger (2005), is that opportunities are presented, there is clarification of goals, resources, and option, and recognition was obliged by the parties involved. These results aid parties in approaching the present problem and future problems with a broader perspective (Warters, 2000).

Bush and Folger (2005) describe transformative mediation as a mediation process that transforms the conflict to strengthen the parties and the society in which they live. Intuitions of higher education tend to be the epitome of the learning organization, analyzing inputs and outcomes as they strive for continuous quality improvement in their various processes. In addition, colleges and universities are primed for "teaching" students important life lessons that are often times almost as important as the education they receive. Hence, a well-designed mediation process can teach students not only how to handle a specific issue in a professional manner but also can demonstrate how an

organized, data-driven system works.

In the field of mediation, Bush and Folger (2005) state that participants can feel self-respect, self-reliance, and self-confidence throughout the mediation process should the process be premised on fair outcomes for both parties. Potential solutions for a mediator may be to “summarize mediatable issues, facilitate brainstorming and problem solving, and perhaps caucus to support movement towards agreement” (Warters, 2000, p. 7). Potential outcomes for the participant may be to “accept responsibility for the conflict choices, generate potential solutions, and consider interests, not just positions” (Warters, 2000, p. 7). This process is inherent of progressive outcomes for disputes in higher education, and transference of trust towards the facilitator. With potential solutions, the parties have the ability to recognize each individual’s position in the dispute, and both parties work together to reach agreeable outcomes. In higher education, the need for acknowledgement, understanding, and empathy for the situation by all of the parties involved allows for the conflict from destructive to constructive (Bush & Folger, 2005).

Providing a supportive mediation framework rooted in empowerment and recognition has a high probability of resulting in productive settlements (Bush & Folger, 2005). The term “empowerment” is defined by Bush and Folger (2005) as “the restoration to individuals of a sense of their value and strength and their own capacity to make decision and handle life’s problems” (p. 22). Recognition is the “evocation in individuals of acknowledgement, understanding, or empathy for the situation and the views of the other” (Bush & Folger, 2005, p. 22). The discovery and intake processes for conflict cases in higher education have not yet applied the transformative necessity of empowerment and recognition. These are the essential elements that provide a mediation

theory that integrates humanistic value with social awareness. The process for which the conflict is mediated is equally as important as the outcome. The ideology of transformative mediation prescribes a supportive process that incorporates both empowerment and recognition, but does not abandon the potential for resolution (Bush & Folger, 2005). In higher education, the potential to not seek mediation from the student for reasons that the university and administration have a more powerful position. This may leave a student's conflict unheard, unresolved, or weaken the relationship with the university.

While most higher education institutions have some form of student grievance/dispute resolution process in place, it is unclear whether these systems have been established with strong theoretical support and whether they adopt research-based methods for mediation. If these systems are not operating in a science-based paradigm, one must question their overall effectiveness in their ability to satisfactorily solve the issues that students present. In addition to questionable efficacy, an atheoretical approach could lead to detrimental effects including increased student dissatisfaction and ultimately disengagement. There is a direct connection between student satisfaction and a student's experience with the student dispute resolution process. Students are more satisfied when dealing with more highly skilled staff and a more organized mediation center infrastructure (Brown & Mazzarol, 2009). In addition, Bush and Folger (2005) explain that as conflict escalates and remains unresolved, interaction degenerates, because as human beings we have a tendency to withdraw and feel weakness or self-absorption when challenges arise (p.54). Students with issues that are mismanaged in higher education, can lead to both short-term and long term effects in a student's

engagement and overall dissatisfaction in an institution. Indeed, causing irreparable damage to the reputation and a student's loyalty towards the university.

When students' needs are appropriately acknowledged, a stable sense of self will be maintained and the student will develop a positive relationship with their respective higher education institution, overall satisfaction with the college experience will be likely (Browne et al., 1998). In a study by Browne et al. (1998), educational satisfaction was based on product factors, using a business model satisfaction survey (SERVQUAL), which indicated reliability, responsiveness, assurance, and empathy by a college and its representatives were the factors in a student's satisfaction. Meeting a student's needs based on this product driven aid in the relationship and satisfaction of students, lead to a higher graduation rate. In addition, if a student is positioned as a customer in higher education, university enhancements are more likely to be considered in a prospect's educational commitment, e.g. university environment, culture, price, value, degree offerings, and learning outcomes. Once a prospect commits to factors such as these, brand loyalty evolves as well as the potential for increased alumni participation and future financial development opportunities for the university (Brown & Marrazol, 2009). The relationships established within a university can increase the levels of trust and integrated involvement in a student's decision to continue their education at that one institution. The importance of consumer relationships involves an emotional connection and an ideological connectivity to contribute to the societal well-being (Mason & Simmons, 2012).

Higher education institutions that may not be cultivating student relationships through dispute resolution processes could be falling behind in the competitive market of

higher education. An understanding of a student's "buying behavior" and "customer satisfaction" can help universities identify strategies to better serve the student (Borden, 1995). Higher education institutions that have ignored the "customer satisfaction" aspects of the student experience have found their loyalty in students diminishing significantly (Bennett, 2003). Students that are not satisfied with an institution are more likely to use "word of mouth" to discourage their peers from attending that particular institution (Arambewela et al., 2005; Brown & Mazzarol, 2009). When students leave a higher education institution on bad terms, this can lead to negative publicity of the institution and ultimately lower enrollment (Bennett, 2003). With an influx of information available to today's prospective student, these negative remarks could lead to long term adversarial effects.

It has been researched that students are not the only ones that feel the stresses of mismanaged conflict across campus. Faculty too, at higher education institutions are equally as dissatisfied when it comes to conflict, beyond the financial means. It has been suggested by Findlen (2000) that faculty members may have perceived positional power in the university, but they become anxious and stressed when a conflict reaches administration. Thomas (2003) notes that conflict can be driven by fear and powerlessness, meaning that each party believes they are right and leaving both parties in desperate circumstances. Unresolved conflicts in cases between student and faculty have lead to faculty burnout and high turnover in many colleges and universities (Thomas, 2003). This is unfortunate for many schools, being that the faculty hiring process is rigorous, time consuming, and costly for the institutions. Additionally, many colleges and universities could lose quality instructors due to a lack of a supported dispute process that



is inclusive of their needs and interests.

Faculty members as well as university stakeholders have been challenged with adopting the student as a consumer approach because it could misrepresent the student and faculty relationship. In essence, Eagle and Brennan (2007), explain that the premise of the hesitation from faculty and key administrator is based on the motto “the customer always right.” Presumably so this approach is delicate in balancing the expectations of a student and the accountability of all parties in a dispute case. With the proper management of student disputes and conflict in higher education, adopting a student-as-customer philosophy, limits the abuse of the term “customer” (Eagle & Brennan, 2007). A precedent of respect and conflict resolution amongst students, faculty, and administration allow for the concept to be beneficial. Eagle and Brennan (2007) identify their support and oppositions for the “student as customer” philosophy:

- Students pay exceedingly high costs for tuition and should be treated in the same manner as someone purchasing goods. (Support)
- Students are not “purchasing” a qualification. Students are unsure of what skills and knowledge will be necessary in the world of work. Their work in a university are subject to their employment. (Oppose)
- Academic standards reflect rigor in grade inflation. Good grades are reflective of effort invest, not financial investment. (Oppose)
- Students may be more critical on faculty feedback that could impact faculty promotions, therefore students seek the easiest courses and staff (avoidance). (Oppose)
- Students hold the faculty responsible for their own learning. Rather than

conducting independent learning and education cannot be passively consumed. (Oppose)

- Content in lecture material needs to be entertaining for the student rather than involving literacy and intellectual growth (Oppose).

Overall, students and faculty have an implicit contract on their academic roles in an academic institution, and some researchers believe that there needs to be a clear understanding that tuition is the facilitator of education, but not the cause of a student becoming educated (Helbesleben, Becker, & Buckly, 2003). An equalized balance of power between students, faculty, and administration can be established with principled practices, especially in dispute resolution processes. Theoretical support for student dispute resolution, levels expectations and enhances the potential to progress a conflict positively for all parties involved (Su & Bao, 2001). The needs and interest of the faculty and staff are equally as important, and placing an emphasis on the process rather than the outcome, improves trust and the overall relationship (Brown & Mazzarol, 2009).

### **Avenues of Student Complaints**

A student's experience while enrolled in college is shaped by many different areas. Traditional students, for example, may live in the residence halls on campus while also taking courses and staying involved in extracurricular activities. While this variety of services is a necessary element to the college experience it is not without its share of challenges. Each type of service requires a unique set of organizational structures necessary to staff and manage the various offices. In addition, systems for ensuring that complaints or student issues throughout various domains are handled appropriately, requires the responsibilities for student satisfaction to be spread among an array of

offices. These student issues essentially fall into 3 primary domains – issues with the academic aspects of a program, interpersonal issues with other students and issues with the university system itself. Below is a description of the avenues for student complaints that typically exist in a University. Universities structured in this way should be equipped to deal with almost any student issue or dispute that arises.

**Ombuds office.** The ombuds office serves as a resource for the university community to assist in the resolution of issues. Typically, the ombuds office provides both informal and formal guidance related to a wide-range of issues for all members of the university community (Warters, 2000). The ombuds philosophy is built on three essential principles: independence, impartiality, and confidentiality (IOA, 2007). The ombudsman serves as an informal conciliator that functions in listening, providing and receiving information, identifying and reframing issues, and developing responsible options that compliment development of new approaches in resolving problems (IOA, 2007; Warters 2000). In addition, the ombudsman often serves as a mediator for problem solving resolution, though they do not have any formal influence on investigative or adjudicative procedures (IOA, 2007). However, an ombudsman can pursue the resolution of any university's systematic problems and procedural irregularities that potentially influence common trends of issues or concerns that reach their office.

**Judicial affairs.** Student judicial affairs offices typically are the primary administrator of the student code of conduct (Dungy, 2003). The Association for Student Conduct Administration (ASCA), previously the Association for Student Judicial Affairs, was developed in 1988 to serve as the primary resource for student conduct educators to learn and develop best practices, as they relate to student conduct and judicial affairs

issues (Schrage, 2009). The ASCA standards serve to maintain and strengthen the ethical climate and to promote the academic integrity of our institutions. In addition, the ASCA promotes the respect legal authority while treating students as individuals with goals and need, where institutions can seek to maintain a campus climate where education and personal growth can take place (ASCA, 1993).

Clearly articulated and consistently administered standards of conduct form the basis for behavioral expectations within an academic community. The enforcement of such standards should be accomplished in a manner that protects the rights, health and safety of members of that community so that they may pursue their educational goals without undue interference. (ASCA, 1993, p. 1).

**Alternative Dispute Resolution.** The practice of ADR in higher education provides alternatives to traditional litigation in student disputes (McKiernan & Birtwistle, 2009). The most common forms of ADR are mediation or arbitration in colleges and universities, to reduce litigation time and costs (Kaplin & Lee, 2006; McKiernan & Birtwistle, 2009). A brief description by Stone (2004) defines arbitration and mediation as the following:

1. Arbitration is a system whereby parties agree to submit their dispute to a third party, who holds an evidentiary hearing and issues a final and binding decision.
2. Mediation is a process by which parties utilize a third party, known as a mediator, to help them resolve a dispute.

In addition, ADR is practiced as an informal, educational setting to manage student and staff grievances and disputes as a means to preserve the values of the educational community (Kaplin & Lee, 2006). Using ADR as a means of resolution preserves the

values of the institution and respect for the educational community involving the student, which can be lost or misunderstood should a dispute enter the legal system (McKiernan & Birtwistle, 2009).

### **Response to Dissatisfaction**

Universities have begun to recognize the pressure to retain students in higher education. Educational experts recommend that student engagement should be a priority to help with retention, especially for universities offering online instruction. Heyman (2010), states that the online student needs more interaction with an instructor and they need more encouragement to be self-disciplined in completing course requirements. The findings that have evaluated student retention and engagement rates indicate a need for additional support by the institution to encourage student potential and growth (Heyman, 2010). As the relationship is essential between the student and the university, the process to instill this supportive framework can demonstrate an institution's commitment to the student's overall development. The relationship and supporting efforts are ultimately tested when a student has a conflict within the higher education setting. Dannells (1997) explains that conflict weighs heavily on scrutiny of the student in higher education, rather than providing real guidance and creating institutional values with that student.

In order to establish a comprehensive framework for institutional guidance to resolution, a collaborative effort among administration, faculty, student affairs, and students is required (Dannells, 1997). Holton (1995) explains that administration's resolution for student conflict can influence a community's perception of that institution. A university culture that openly supports conflict and student needs with a systematic approach is likely to prevent conflict and maintain positive student relationships that are

deep rooted and long lasting (Hart & Coates, 2011; Holton, 1995).

Traditionally, student conflicts have been placed within a student judicial process set forth by the policies of the institution. There is a broad agreement as to the purpose of the judicial affairs systems that exist on campuses, which typically is set up “to promote and protect an academic community where learning is valued and encouraged, to promote citizenship education and moral and ethical development for those who are involved in the judicial process, either by way of violation or implementation” (Howell, 2005, p. 374). That said, Howell (2005) states that although policies and procedures in judicial affairs issues stand as valuable in a higher education setting, there is little indication that there is educational gain for the student.

Unfortunately, the office of judicial affairs holds a negative stigma from a student’s perspective and feelings of anxiety and uncertainty can surface when their issue is escalated to a system that is perceived more as one of punitive measures than as facilitative and mediation focused (Howell, 2005). Negative feelings such as this can create an escalated or withdrawn conflict resolution setting. Howell’s 2005 study also demonstrated that the student’s surveyed that had entered in the disciplinary process at the university judicial affairs level, stated that telling the judicial affairs officers what they wanted to hear made for the best outcome. This is an unfortunate result, as the conflict was not truly resolved, nor was there an educational lesson in place.

Processes that are in place are established to prevent negative behavior from occurring in a higher education setting (Howell, 2005). However, the behavior may not always be considered negative. Conflict can be a perception of feelings that are misread or misunderstood. Addressing students concerns and rights with in a campus community,

is also a preventative measure that Dannells (1997) describes as a positive approach to conflict. The less adversarial approaches to conflict and student discipline can lead to developmental outcomes (Dannells, 1997). By identifying the benefits of the student, conflict resolution in higher education can foster the relationships, culture, loyalty and retention to the university.

### **Student Complaint Behavior**

Universities have become more aware of the need to foster positive relationships between students and the faculty, and staff that comprise the institution. Higher education institutions should encourage students to speak out when their needs are unmet, providing them with a highly publicized structured set of services that will help in resolving the student's issue. Each student is unique in their approach to conflict and the anticipated journey towards reaching a resolution. Identifying a student's dissatisfaction through understanding their complaint, and their complaint behavior provides an institution with a quality assessment to producing and retaining quality students (Su & Bao, 2001).

Generally students are "conservative complainers" in fear that there may be repercussions for their complaint while enrolled in a higher education institution (Su & Bao, 2001). The inferred inequality in power distribution in higher education makes it difficult for some students to readily express dissatisfaction openly. Su and Bao (2001) explain the perceptions of power in higher education as "teacher power": coercive, legitimate, expert, informative, reward, and inferent. With these powers in place and as a part of a higher education culture, students are less likely to complain.

In looking at students as consumers through a psychological lens, stress increases when a dissatisfying event occurs, this in turn causes there to be a negative association

with the stressful event (Su & Bao, 2001). As humans, students generate a set of coping skills to either ignore the dissatisfaction or to seek resolution. Su and Bao (2001) described the groups of complainers as: passive recipients, private complainers, and voicers. The passive recipients are more likely to be international and undergraduate students that are intimidated by educator power and legitimate power (Su & Bao, 2001). The private complainers are aware of educator and legitimate power, however they are more likely to talk to their peers and family about their experience, and warn others about the institution. This group is also more likely to be international and undergraduate students. This remaining group of students are the voices, which have the weakest perception of punishment power and legitimate power. This group is more likely to be aggressive in complaining and contacting all levels of administration to reach a satisfying resolution. This group is likely to be graduate level students (Su & Bao, 2001).

Understanding these complaint groups can allow a university or college to understand why students are complaining or what may be keeping them from seeking assistance to remedy the situation. Culturally higher education is a non-challenging and non-confrontational approach to conflict, especially when involving faculty. Su and Bao (2001) found that there is an indefinite imbalance of power between student and educator. In order to remedy this imbalance, higher education institutions need to reform the higher educational service sector by encouraging student to make choices of educational services and return the “unsatisfactory” services (Su & Bao, 2001). Su and Bao recommend the need to break cultural power barriers between student and administration by involving the student in service assessments.

### **Accreditation Requirements**



Higher education institutions are now faced with increased demands for accountability and attaining outcomes. Part of this charge is for schools to document very clearly how they handle student complaints (e.g., federal requirement 4.5). Institutions throughout the United States are obligated to maintain a level of standards based on a set of criteria provided to them by the accrediting body. Specifically, the Southern Association of Colleges (SACS) and Schools Commission on Colleges (COC) have specific requirements to assist students in mediating issues with the institution's faculty and staff. SACS explains that the mission of the commission is the "enhancement of educational quality throughout the region and the improvement of the effectiveness of institutions by ensuring that they meet standards established by the higher education community that address the needs of society and students" ( SACS, 2012, p. 1). The characteristics of an accredited institution are consistent in each of the degree programs, from baccalaureate to doctoral degrees. SACS (2012) states specifically in their mission

Accreditation by SACS Commission on Colleges signifies that the institution (1) has a mission appropriate to higher education, (2) has resources, programs, and services sufficient to accomplish and sustain that mission, and (3) maintains clearly specified educational objectives that are consistent with its mission and appropriate to the degrees it offers, and that indicate whether it is successful in achieving its stated objectives (p. 1)

Of particular importance in this study, the examination of a school's resources, programs, and services that sufficiently support a student's dispute, as it relates to the mission of the institution and SACS. Though the traditional systems of a higher education institution may be in place, the question as to whether or not there is a solid student complaint management process is addressed The SACS (n.d.) "Principles of

Accreditation” requires that

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. (Federal Requirement 4.5) In addition, each institution is required to have in place student complaint policies and procedures that are reasonable, fairly administered, and well-publicized. The Commission also requires, in accord with federal regulations, that each institution maintains a record of complaints received by the institution. This record is made available to the Commission upon request. This record will be reviewed and evaluated by the Commission as part of the institution’s decennial evaluation (p. 2)

A formal complaint process can help an institution identify common trends in student dissatisfaction, thereby allowing for opportunities to implement policy change that can eliminate the negative issue and enhance the student experience. SACS/COC’s commitment identifies specific characteristics for institutions to be considered accredited. As an example, Texas A&M Health and Science Center (TAMHSC) has embraced the accreditation standards in their student handbook (n.d.). The premise of the complaint and grievance process serves as a positive foundation to uphold student integrity. The TAMHSC executive summary explains that

Texas A&M Health Science Center has adequate procedures for addressing written student complaints. The policies and procedures governing these complaints are well publicized, fairly administered, and provide clear and consistent guidelines for resolution. Logs of student complaints are maintained by each college and school. For public complaints, the institution has published a

notice on its website describing how members of the public may make complaints to the SACS Commission on Colleges. The Health Science Center also provides a Risk and Misconduct Hotline for submission of other public complaints not related to accreditation (TAMHSC, n.d., p. 1).

The Comprehensive Standards of Texas A&M Health Science's process, indicate that each school is responsible for grievances within each of their school and the reporting of each grievance and outcome filed. Logs of student complaints are open to the public to see how a log can be beneficial to identifying the issue, and the resolution that was met. For example, according the TAMHSC Complaint Log, a student complained about feedback from a faculty member on an assignment. The complaint date is entered in to the log, and details about the complaint. Finally, the issue is logged as to how the complaint was resolved, the actions taken, and, most importantly, the date it was resolved.

### **Summary**

Given the increased interest in retaining students and the increase in accountability standards, universities are challenged to ensure that adequate systems are in place to deal with student complaints. In its most simple terms, satisfied students will likely remain engaged in the university system and ultimately graduate, dissatisfied students may not. Therefore, it is imperative that colleges and universities employ systems of conflict management that implement best practices in conflict resolution and mediation.

### **Purpose Statement**

The purpose of this study is to qualitatively explore the processes that universities

utilize to address student conflicts, with a focus on the mediation principles employed. In addition, results of the in-depth investigation will be used as a foundation to a proposed theoretically-based student dispute resolution process that will be amenable to the unique aspects of an institution of higher education.

### **Research Objectives**

1. This study includes a complete systems analysis of two institutions of higher education to gather information as to how the institution currently manages student issues.
2. The data collection and system analysis of this study proposes a theoretically-supported system for handling student disputes in higher education. Theories from the field of conflict resolution will be applied to a higher education setting.

## **Chapter 3: Methodology**

### **Participants**

Participants in the study were recruited from two universities in Florida. The sample of universities included one private not-for-profit institution, and one public institution. The researcher identified specific names of potential participants through a review of the institutions' current websites and 2012-13 student handbook/catalog. Once participants were identified, the researcher contacted the potential participants through both a telephone call and an email message. Potential participants were asked if they would be interested in participating in a dissertation study designed to analyze the student dispute and resolution process in higher education. Potential participants were informed that the identity of the school will remain protected and that their participation will remain confidential. Upon agreement to participate, an interview date was scheduled by the researcher.

### **Sampling**

Data in this study included an in-depth qualitative interview as well as a brief quantitative survey. Data was collected from a purposeful theoretical sample of higher education administrators that oversee the student dispute process in their respective institution. A purposeful sample specifically identified the participants that were familiar with student complaints, disputes, and were a situational fit for this study (Coyne, 1997). Random sampling was not the most appropriate fit for the purpose of this mixed methods study, since random sampling does not allow for a precise indication of higher education trends in conflict and dispute resolution (Creswell & Plano Clark, 2007).

The goal of this study was to obtain rich and descriptive data regarding the

student dispute resolution process in higher education institutions. The unit of analysis for this study was the university system, hence, there were two schools targeted for examination. The number of specific participants from the respective institutions was dependent on the number of administrators that supervise or administer a dispute resolution process for students (Tashakkori & Teddlie, 2002). The personnel interviewed were administrators such as Deans, Associate Deans, Ombudspersons, and Directors or equivalent of the departments that handle student disputes. It was estimated that the sample size would range from two to six participants depending on the configuration of each university. The final sample consisted of three total participants. A description of the participants follows in the description of the sample in Chapter 4.

### **Instruments**

**Qualitative interview protocol.** A list of open-ended questions, developed by the author and in collaboration with a qualitative research expert was used in the semi-structured, interactive interview. The questions were intended to guide participants in describing, in detail, the process of student dispute resolution, as well as their philosophical orientation for the specific elements of their institution's adopted system. The overarching goal of the qualitative data collection was to understand the participant's theoretical framework and philosophical position as it relates to effective conflict resolution strategies for students. Based on the answers provided, the researcher constructed a theoretical framework for the interviewee's specific student dispute resolution program. While the interviewee did not necessarily explicate a bona fide theory that guides their practice, some elements of theory and best practice were present. For this study, questions were framed to extract similar responses that could have been

interpreted into more formal theoretical conflict resolution and mediation terms upon analysis.

The researcher framed the qualitative questions in such a way as to explore the philosophical underpinnings of the administrators' approaches. Questions were designed by following the protocols for qualitative interview development explained by Kvale and Brinkman (2008). Prior to data collection, the questions were piloted to a select sample of individuals who did not participate in the study to assess question clarity, as well as face and content validity. There could have been a challenge in this study with some resistance by the interviewee in their ability or willingness to reveal the authentic truths about their university's processes. Argyris (1985) refers to these reactions as defensive routines, "thoughts and actions used to protect individuals', groups', and organizations' usual ways of dealing with reality" (p. 5). The protective reactions could have inhibited learning, and targets the interest on reducing a threat (Argyris, 1985). In a university setting this could have been the case, where acknowledging a problem in student dispute process would threaten their bypass routines- the way it has always been done (Argyris, 1985). Though universities were confronted with challenging student dispute process questions, the researcher used reflective practitioner tactics that hindered judgment for the sake of professional knowledge and research (Schön, 1983). In addition, the researcher explained their involvement in the university system to gain trust with the interviewee and establish rapport (Creswell, 2007). Building the level of comfort helped reduce anxieties and potential defensive routines. The researcher also disclosed that the research is only to report the dispute resolution processes that can be utilized for SACS review, and not a direct suggestion to make modifications to any process that is in place.

**Quantitative data collection tool.** A series of quantitative questions were used in the study. The author developed a checklist items and short Likert scale questions relating to the dispute resolution practices that occur within each institution. The quantitative questions were descriptive in nature. The goal of the quantitative questions was to provide a more detailed assessment of the current student resolution system in place (e.g. “How many student disputes does your office resolve in an average month?”). In addition, quantitative questions were designed to support some of the themes and constructs assessed in the qualitative interview protocol (Tashakkori & Teddlie, 2002), for example, “Rate your level of agreement for the following statement: ‘My office could benefit from a formal training in research-based conflict resolution and mediation strategies.’” The quantitative questions were adapted from a checklist of key basic elements of a university system developed by Warters (2000). The specific content of the questions are highlighted more in the “procedures” section of this proposal.

## **Procedures**

**Research design.** This study employed a qualitative case study design. Briefly, a case study is an exploration of a bounded system or a case through detailed, in-depth data collection involving multiple sources of information rich in context (Yin, 2014). The context of the case involves situating the case within its setting, which may be physical, social, historical, or economic (Stake, 2005). Data collection strategies for the case study include direct observation, interviews, documents, archival records, participant observation, physical artifacts and audiovisual materials. Data analysis in a case study includes an exploration of themes, or issues and an interpretation of the case by the researcher (Yin, 2014).



The case study is a broad methodological approach that can take many forms (Travers, 2001). Some case study designs are conceived as general, exploratory inquiries that involve the collection of qualitative data from a variety of sources including historical documents, artifacts, interviews, and policy documents (Yin, 2014). Other case studies are highly structured and involve the collection of quantitative data collected over a period of time, with the data analysis involving highly technical time-series analysis (Velicer & Molenaar, 2013). This study adopted a more exploratory, constructivist, qualitative approach to explore the central research objectives (Mills, Durepos, & Wiebe, 2009). The primary goal of this case study is to provide an explanation of the general structure of conflict management systems in higher education along with an exploration as to how the systems were designed and built, with a keen focus on the discovery of the existence of conflict resolution theoretical concepts and structures. The questions designed in the qualitative interview were designed to prompt responses that could help illuminate the philosophical underpinnings of the respective conflict resolution offices.

**Data collection.** At the beginning of each interview, a brief explanation of the study was given and consent to participate was formally obtained. The participants were informed that they were not required to participate in the study and they could stop the interview at any time or refuse to answer any questions. The participants were assured of confidentiality, and although some of the information they provide was to be published, their name and the name of their respective university was not to be associated with the publication.

Next, basic demographic data was obtained for each participant. Information on the participant's age, sex, terminal degree, educational background/major, formal

occupation (job title), and experience in higher education was obtained. This information was used to describe the sample and to ensure that the informant had the requisite experiences and job position to enrich the data.

After obtaining consent and all relevant demographic information, a tape-recorded, semi-structured interview and quantitative survey was administered. Questions were developed by the researcher, and follow the protocol listed in Kvale & Brinkman (2008). Questions moved from broad-based, overarching questions about the student dispute resolution processes that currently exist for the university, to more specific questions that began to reveal the underlying theoretical orientation that the participant and program reflect.

**Qualitative Data Analysis.** Following the qualitative interview session, the researcher transcribed the tape-recorded sessions into a Microsoft Word document. The transcription was checked against the tape recorded session to ensure accuracy. Following best practices in qualitative data collection and analysis, the researcher coded and analyzed the qualitative data before all interviews were complete (Strauss & Corbin, 1998).

After transcription was completed, the researcher began the data coding and analysis process (Denzin & Lincoln, 1994). Data analysis followed the protocol outlined in Miles, Huberman, and Saldana (1994). Specifically, the process included

1. Data reduction. This refers to the process whereby the mass of qualitative data is reduced and organized, discarding all irrelevant information.
2. Data display. To draw conclusions from the mass of data, Miles et al. (1994) suggest that a good display of data, in the form of tables, charts, networks

and other graphical formats is essential. This is a continual process, rather than just one to be carried out at the end of the data collection.

3. Conclusion drawing/verification. Analysis leads to the development conclusions regarding the study. These initial conclusions are then verified, that is their validity is examined through reference to existing field notes or further data collection.

The initial step in data coding is open coding, whereby all statements related to the research question are identified and each is assigned a code or category (Miles et al., 1994). Next, axial coding commences, whereby the researcher re-reads the transcript and searches for statements that may fit into any of the categories (Patton, 1990). Once these stages are complete, the researcher began the analytical process of searching for patterns and explanations in the codes, trying to tie pieces of information together to extract any elements of conflict resolution theory that lie in the statements.

Once all data was coded it was organized as suggested by Biddle and Locke (2007). In the organization process, statements obtained from the interviewee were joined into themes, so that similar statements are grouped together into first order themes, and differentiated from other statements. The process was repeated with the first order themes, followed by second order themes. The process continued until no further themes are established (Biddle & Locke, 2007).

The final step in the data analysis process was validating the codes to ensure that the subjective analysis was trustworthy (Denzin & Lincoln, 1994). The validation process involved a series of steps as outlined by Holloway and Wheeler (2013) including:

1. Member validation – providing a summary of the analysis to the study's

participants and asking them to critically comment on the findings

2. Alternative examples – searching for sentences or statements that refute the coded categories or themes to help contrast points of view
3. Triangulation – quantitative data was be used to support the qualitative analysis by providing empirical support for the qualitative themes. Basic descriptive statistics were used to reinforce aspects of the data such as incidence of student complaints, resolution timeframes, etc.

**Ethics and reflexivity section.** A case study approach was used to provide rich data. Subjects were identified through the higher education institution's website, and they were contacted by phone or email. A script was read or emailed to each of the potential participants. The researcher explained the purpose for contacting them for a research study and explained that the information was confidential throughout, including in the final results. Participants were assured that their names and their respective institutions would remain confidential in all phases of the research and analysis. Participants could ask to stop the interview at any time, should they not feel comfortable. In addition, the participants were given a final transcript of their face-to-face or phone interview, and the results from the quantitative survey. This final write-up served as a confirmation that the information was accurate, and a copy was given to each of the participants for their records. This record may be of assistance to them during future SACS audits.

The researcher has great interest in expanding the area of conflict resolution in higher education, specifically in dispute resolution processes. As a marketing employee of a university and as a student, it has become apparent that these conflict resolutions processes are sparse. The focus of marketing for new inquiries defies the potential to

retain and build alumni relationships with the current student population. And, as research states, it is less costly to retain students than to recruit new ones. Marketing sells the idea that universities are supportive in helping students to achieve career success, but a student's education is fluid and opportunities exist even in times of conflict. The researcher has a passion for conflict resolution, and meshing the concepts to enhance a student's experience though a dispute management process could lead to more satisfied students, and ultimately to longtime donors to the institution.

**Expected Contribution.** The higher education institutions sampled in this study indeed did have functional systems in place that allow for management of student disputes/issues. However, the effectiveness of these systems, whether these systems were rooted in conflict resolution theory or adopt best practices in dispute resolution was not known. This study was conducted to provide an in-depth analysis of the methods employed at the various institutions, providing a deep understanding of both the logistical and philosophical underpinnings of the systems in place.

While the participating institutions provided academic and student policies for their respective institutions, the present study explored the logic of linking program components to anticipated student outcomes. Given the exploratory nature of the study, specific anticipated outcomes were discovered. The researcher did, however, provide detailed information as to whether the conflict resolution systems were theory-based and employ effective training strategies for staff that were connected to the system while trying to understand the mental model related to the conflict resolution perspective of the directors of the system.

Growth in terms of the number of institutions of higher education as well as the

number of students enrolled in degree programs is expected to continue in the United States (U.S. Census Bureau, 2012). With that growth will come an increase in the demand for services as well as increasing competition among institutions. Therefore, university systems need to ensure that they are providing high-quality education and student services to satisfy student needs. The results from this study provided a snapshot of the processes employed in a small sample of institutions, as well as the philosophical perspectives of the administrators that oversee these systems. In addition, the researcher integrated this information into a recommended theory-driven system that takes into account the real-world challenges that universities face. This research is essential for higher education institutions to provide support to their student population and increasing student retention.

**Limitations.** This study was unique in that it attempts to extract the theoretical orientation and philosophical perspective of a select group of higher education administrators in the area of student dispute resolution. While the study was innovative in its approach, it does have several limitations. First, the sample was confined to a small selection of universities in Florida. Future studies should include a wider range of universities, both in terms of geographical differences and as well as size and type (e.g., large state universities). Second, the study focused solely on the information gathered from administrators and practitioners associated with the student resolution process. It is important that all members of the university community, including faculty and staff, embrace the perspective of the student resolution office. Future studies should include these members as well. Finally, the student perspective of the resolution process is not included in this analysis and could be further explored.

## **Chapter 4: Data Analysis and Presentation**

### **Overview of Public University**

Public University is one of the largest public research universities in Florida. The current university enrollment is roughly 50,000 students, comprising approximately 68% undergraduate, 24% graduate, and 8% professional students (Public University, 2014a). Approximately 24% of the student enrolled in 2013 came from southeastern Florida cities like Miami, Fort Lauderdale, and West Palm Beach (Public University, 2014a). Most of the university's students, approximately 40,500, are residents of the state of Florida, while 9,600 students are non-residents of the state of Florida (Public University, 2014a). The university has experienced minimal enrollment growth over the past 10 years, with about a 2% increase (Public University, 2014a). However, the retention rates are remarkably high, with a rate of 90% for four-year undergraduate students (Public University, 2014a).

**Sample for Analysis.** The student population as of 2013 was comprised approximately 54% women and 46% men. Ethnicity of the student population was 56% White, 16% Hispanic, and 7% Black. The average age of undergraduate students was roughly 19 years, while the average graduate student's age was 24 years.

### **Public University Dispute Office**

**Staff.** Public University's Student Conduct and Conflict Resolution (SCCR) office is located in the Dean of Student Affairs office. The participant included in this study is the department head of the unit that is charged with the responsibility of overseeing student conflicts and student disputes. The participant holds the title of Associate Dean in the Dean of Student Affairs office. The SCCR comprises 10 full-time

staff members ranging from administrative assistants to a director. Given the size of the university, the SCCR is perceived by the Associate Dean to be somewhat understaffed.

The SCCR office handles a wide variety of student issues including, but not limited to, vandalism, inter-group or intra-group conflicts, violence, problems related to drugs and alcohol, conflicts related to race, ethnicity, and culture, date rape situations, inter-personal disputes (student to student/student to faculty), and policy related disputes. In addition to these issues, SCCR oversees student protests. The SCCR office is contacted somewhat frequently, handling between one to three new cases per week, each of which requires seven or more days to be resolved.

A series of questions were asked that looked to examine the staffing patterns, case load and training of those staff members hired by SCCR. The responses to follow come directly from the Associate Dean who participated in the study, hence, are reflective of the participant's feelings. When asked about the sufficiency of staff training, the interviewee was somewhat neutral in his feelings related to staff training. While hiring staff with a background in mediation or conflict resolution is optimal, the practices of SCCR are to hire the best qualified applicant with experience related to the field, not necessarily directly in conflict resolution. The result is a wide-range of staff experience as it relates to the basic tenets of conflict resolution and mediation practice. In addition, the interviewee agreed that ongoing training in mediation and conflict resolution would be beneficial to the staff in their offices, but that such training was not routinely offered due to time constraints. The interviewee indicated that more staff would be beneficial to aid in the time management of caseloads. The participant also noted a neutral response when asked if a system that is designed with a strong theoretical, science-based foundation is



less effective than a system that is designed more eclectically. This theme will be explored in greater detail later in the dissertation.

In addition, the interviewee at Public University indicated that most faculty members were aware of the SCCR office and the services they provide. It was also felt that on-campus students would know who to contact with a dispute. However, the interviewee believed that off-campus, non-traditional students may not know of the services offered at the SCCR, given that it is primarily focused on serving undergraduate, on-campus students.

### **Public University's Conflict Management Process**

An extensive review of the student handbook and website was conducted for Public University to examine the conflict management process. The homepage of the university lists areas of interest for prospective and current students. Locating the SCCR is not entirely intuitive. The search began in the "services" section of the website. This section revealed a set of services for areas such as, advertising, marketing, public relations, business goods and shopping. The service office of the Dean of Students and Student Affairs is not listed. The specific office was only found after completing a search for Dean of Students, which resulted in the page that provides an option for student conduct and conflict resolution. The homepage for the Dean of Students and Student Affairs states the mission of the office: "[Public University]'s Dean of Students Office creates a culture of care for students, their families, faculty and staff by providing exemplary programs and services designed to enhance students' academic and personal success" (Public University, 2014b, "Our Mission," para. 1).

This type of statement appears to engage and encourage potential conflicting

parties to utilize the service with an element of support integrated in to the mission statement. Research shows that there is a direct association between the perceived value of support services and student satisfaction and loyalty (Brown & Mazzarol, 2009; Browne et al., 1998; Elliott & Shin 2002). Research also states that student satisfaction and retention is based upon assurance that services will be delivered as promised (Browne et al., 1998; Helgesen & Nettet, 2007). Hence, while seeming somewhat insignificant, this type of messaging is important to potential users of the service.

Public University states “Student Conduct and Conflict Resolution (SCCR) is dedicated to encouraging responsible community conduct, educating the [Public University] community, and implementing disciplinary action in situations where violations of the Student Conduct Code have occurred” (Public University, 2014b, “Student Conduct and Conflict Resolution,” para. 1). The Public University has established SCCR as the central location to deal with all conduct and conflict issues related to students. That is, in addition to providing services for resolving student complaints/disputes, SCCR is the central repository for reporting student misconduct or violations for the entire campus community. As stated on Public University’s website

Our office is the main university entity that works with students to resolve disciplinary matters. We also ensure that students receive fair treatment in all hearings. Students, faculty and staff who believe there has been a violation can contact Student Conduct and Conflict Resolution at the Dean of Students Office to discuss options available for reporting incidents to the appropriate authorities (Public University, 2014b, “Student Conduct and Conflict Resolution,” para. 2).

This element is unique in the design of student conflict resolution systems. A

review of the literature indicates that campus-based conflict resolution systems deal primarily with students reporting issues as the primary initiator. This system, however, deals with all student conduct issues regardless as to whether the student is the initiator or perpetrator of the conflict. The result is a system that is deeply entrenched in the culture of servicing students.

The SCCR handles student- related conflicts and student conduct issues. This office provides conflict resolution options for inter-personal conflicts including student-to-student, student-to-faculty, and staff-to-student. In addition, the SCCR offers conflict resolution services for student conduct issues, including plagiarism/cheating, academic dishonesty, and bribery.

The SCCR provides conflict resolution through various channels including: conflict coaching, facilitated dialogue, mediation, and restorative justice. The descriptions for each are as follows:

- Conflict Coaching: “Students seek counsel and guidance from SCCR in order to engage a conflict more effectively/independently” (Public University, 2014b, “Services Available,” para. 4).
- Facilitated Dialogue: “Students access SCCR to coordinate having a third party (mediator) facilitate a structured session aimed at resolving a conflict and/or constructing a go-forward or future plan for the parties involved. The parties are in control of any agreement reached or decision made, though depending on the circumstances, SCCR may have to give final approval and/or monitor the proposed terms of an agreement. The mediators for Conflict Resolution services are the SCCR staff, Public

University law school students, or other community members where appropriate” (Public University, 2014b, “Services Available,” para. 5).

- Mediation: “Students access SCCR to serve as a third party to coordinate a structured session aimed at resolving a conflict and/or constructing a go-forward or future story for the parties involved” (Public University, 2014b, “Services Available,” para. 6).
- Restorative Justice Practices: “Through a diversion program or as an addition to adjudication, SCCR provides space and facilitation for students taking ownership for harmful behavior and parties affected by the behavior to jointly repair harm. The process involves several meetings and an approximately 2-hour Restorative Justice session” (Public University, 2014b, “Services Available,” para. 7).

In addition to the various conflict resolution services, the website promotes the availability of an Office of the Ombuds. The Office of the Ombuds handles public university related concerns of problems, and it is described as

The purpose of the Ombuds office is to assist students in resolving problems and conflicts that arise in the course of interacting with Public University. By considering problems in an unbiased way, the Ombuds works to achieve a fair resolution and works to protect the rights of all parties involved (Public University, 2014b, “Office of the Ombuds,” para. 1).

The Office of the Ombuds assists with conflicts that include: admissions, discrimination, cultural conflicts, instructor/student misunderstanding, financial concerns, housing, and testing procedures. This office incorporates the International Code of Ethics

(IOA, 2007) by stating their independence from the organization, neutrality and impartiality for conflicts, confidentiality in communication, and informality.

Though the SCCR and the Office of the Ombudsman's cases may overlap due to similar nature, their functions are completely independent of one another. According to the International Ombuds Association (IOA) an ombudsman may not have any formal decision-making power, therefore their role is to promote procedural fairness with students and administration. According to Warters (2000), mediation centers can have a more formal approach to resolving conflict that can lead to arbitration, whereas an ombuds serves an informal conciliator.

The SCCR is prominently active in the Public University community. They serve in an outreach capacity to students through trainings, workshops, online seminars, and events. The trainings and workshops are the SCCR's approach to educating students on code of conduct specific topics. These topics include

- Ethical Decision Making: "The purpose of the Ethical Decision Making seminar is to help students develop critical thinking and problem-solving skills to be able to make appropriate and confident college-level decisions. Students will participate in a variety of activities that explore ethical decision making, ethical leadership, values clarification, and how to recognize and navigate ethical dilemmas effectively. Upon completion, students should be able to better define the different ethical principles and utilize them in their future decision making process. The 2 hour seminar is facilitated by a staff member from Student Conduct and Conflict Resolution in the Dean of Students Office" (Public University, 2014b, "Seminars," para. 1).

- Alcohol, Other Drugs, and the Law: “The Public University Police Department Community Services Division offers the Alcohol, Other Drugs, and the Law Seminar to present resources and information to university students regarding the issues of alcohol and drugs. The program provides education on the legal consequences of alcohol and drug use, emphasizes the health risks involved in the use and abuse of these substances, and promotes responsible decision-making. The 1 ½ hour seminar is presented regularly at the Public University Police Department” (Public University, 2014b, “Seminars,” para. 2).
- Avoiding Plagiarism: “The Academic Integrity Seminar is designed to help students understand integrity and why it is critical to the success of Public University and each individual student. Participants will learn about the different citation formats, Public University’s Honor Code, ethical development and reasoning, and the importance of integrity in an academic community such as Public University. This seminar is facilitated by Public University’s Library and will last 1 ½ hours” (Public University, 2014b, “Seminars,” para. 3).
- Substance Use and Abuse: “The 1 ½ hour seminar is designed to provide support for more adaptive decision making related to substance use and to educate on services available to students if they continue to have substance related problems. The Counseling and Wellness Center offers this program two to three times a semester to 12 students who have had conduct referrals due to alcohol/drug use. This group provides students a forum in which they describe the incident for which they were referred and to receive feedback from counselors and peers regarding their choices” (Public University, 2014b, “Seminars,” para. 4).

## **Overview of Private University**

Private University is the largest private not-for-profit, fully-accredited university in the Southeastern United States (Private University, 2013). The institution was founded in the 1960s and has produced over 150,000 alumni (Private University, 2013). Courses are taught in traditional classrooms, online for distance students, or in blended models throughout the United States, including campuses in various regions and internationally. The school is attended by approximately 30,000 students with significant growth in student enrollments in the past 10 years (Private University, 2013). Private University noted that in 2012 it enrolled the largest number of students of any institution in the southeastern United States (Private University, 2013). It has been noted that approximately one of five students enrolled in higher education in Florida attended Private University (Private University, 2013).

The admission standards have increased for all undergraduate, master's, doctoral, and professional degree programs. In 2012, the student population for Private University included 5,700 undergraduate students, 17,000 graduate students, and 4,000 professional students (Private University, 2013). Of these students, women are the gender majority. In addition, students under the age of 25 comprised 60% of the undergraduate student population (Private University, 2013), while the majority of Private University's students over the age of 25 were taking part-time course work, or were seeking graduate or professional degrees (Private University, 2013). With the increase in the student population, there was also an increase in over 4,000 employees that work at the university, serving in various units on- and off-campus (Private University, 2013).

The student population in 2013 was approximately 35% White non-Hispanic and

65% other/minority (e.g., Hispanic, Black, Asian) (Private University, 2013). In addition, the full-time student population comprises 69% women and 31% of men (Private University, 2013). The average age of undergraduate students was 21, while the average age of graduate students was 34 (Private University, 2013).

### **Private University Dispute Office**

**Staff.** Private University's Office of Student Affairs (OSA) is located in the office of the Dean of Student Affairs. The interviewee was asked a series of qualitative questions to examine case types and caseloads, staffing patterns, and training of the OSA staff. The responses came directly from the participant, and are reflective of the participant's feelings. The participant was the department head of the unit that is charged with the responsibility of overseeing all student conflicts. The participant holds a high-level administrative position in the office of the Dean of Student Affairs. The participant reported to have approximately five staff members in their office, and that that was an adequate number of staff members based on the average number of cases the office manages. However, the interviewee also noted that their office would benefit from having more staff.

The office handles a wide variety of student issues, including vandalism; inter-group or intra-group conflicts; violence; inter-personal conflicts (student-to-student and student-to-faculty); problems related to drugs and alcohol; conflicts related to race, ethnicity, and culture; date rape situations; disputes; and policy-related disputes. The participant from the OSA indicated that on average, a student case that is presented to the office takes up to seven days or more. In addition, as a separate unit from the OSA, the Office of Residential Life (ORL) has a graduate assistant (GA) who is trained mediator



and who handles roommate disputes, but the GA does not report to the OSA. The GA from the ORL also served as a participant in this study.

Private University was asked about professional training of staff members in their office, and the interview revealed that training in the area of conflict resolution is not required nor is it offered. The interviewee indicated that the staff members in their office are sufficiently trained in conflict resolution and mediation. The OSA is contacted frequently, approximately 13 or more times a week, regarding a student dispute or conflict. The participant indicated that ongoing training in mediation and conflict resolution would be beneficial to the staff in their office, and that financial resources would assist with funding this type of professional training. However, the interviewee indicated disagreement with the suggestion that a system designed with a strong theoretical, science-based foundation less effective than a system that is designed more eclectically.

In addition, the interviewee for the OSA at Private University indicated a strong agreement that the university fully supports the mission of their office, and that most faculty members are familiar with the OSA and would know to seek their office for assistance if needed. It was also indicated that the participant agreed that both traditional on-campus students and off-campus non-traditional students would know to contact the OSA in the case of a dispute, since it appears in Private University's student handbook. The interviewee also indicated that their office does not have a follow-up satisfaction process to survey student's level of satisfaction with the resolution process in their office.

The interviewee from the ORL indicated that although the mediation office is separate from the OSA, some cases could be referred out for mediation if needed (Private

University, 2014b). The GA is trained in conflict resolution theory and mediation, however a specific theory is not applied. It was indicated by the GA that students in residence halls are more likely to use mediation services because it is mandatory if a roommate change is requested. However, the GA noted that international or off-campus students also use their services. Also, the GA stated that they would help if cases were referred to the ORL for a less formal approach than the OSA, but a case referral for mediation is rare.

### **Private University's Conflict Management Process**

A thorough review was conducted of Private University's student handbook and website to examine the conflict management process. The initial review began with a search on the university homepage for the term "grievance." The search resulted in a list that included a link to the "Student Complaint Process and Distance Education" page.

This page stated

The following information is provided in compliance with recent United States Department of Education regulations. In order to resolve academic grievances, complaints, and concerns in an expeditious, fair, and amicable manner, students are asked to consult their respective college or school catalog/student handbook for information on the appropriate grievance procedures. This link provides contact information for each academic unit. Students are urged to exhaust all possible internal avenues for resolution before filing complaints with external agencies (Private University, 2014c, "Student Complaint Process and Distance Education," para. 1)

The information on this page states the student contact for each college within the

university for which the student might have a grievance, potentially indicating that each school has different processes for handling student complaints. The link for the student handbook was provided on this page, which led to the list of college's student handbooks for the university. This page listed 16 catalogs/student handbooks, 15 for the colleges and one for undergraduate students. It was unclear if each of the 15 schools were only graduate level without an undergraduate focus, since the undergraduate student handbook was listed separately.

In investigating the undergraduate catalog, a section titled "Problem Resolution Procedure" was listed. This section stated

[Private University] is committed to maintaining policies and procedures supportive of the student community. Students must follow specific policies and instructions described in this catalog, in the [Private University] Student Handbook, and in course schedules, program brochures, information sheets, and periodic special mailings. Formal problems or grievances fall into three categories: harassment or discrimination grievances, academic grievances, and administrative grievances. Detailed instructions on how to submit an academic or grievance are described below by each college or school. Student athletes should refer to the [Private University] Student Athlete Guidelines for additional information about athletics-related problem resolution procedures (Private University, 2014a, p. 89).

The statement of the processes indicates the supportive nature of the process, and the categories of grievances are clearly listed. Above each grievance category, the following is noted: "For specific information on grievance procedures, refer to the

appropriate college's or school's contacts in the Levels of Appeal for Problem Resolution chart. When filing a grievance, students should make every effort to document their claim" (Private University, 2014a, p. 89). This section does not clearly specify how to document the claim, nor a contact person for the claim in each of the colleges or schools. In addition, the information implies an escalation of the conflict. The ORL mediation services and the GA information are not made available as a potential resource.

For grade disputes:

Faculty members handle grievances involving the fairness of a grade.

Students unable to resolve the grade dispute with a faculty member should contact the academic director or assistant dean of the division responsible for the course, who will make a final decision on the fairness of the grade. For specific contacts, see the Levels of Appeal for Problem Resolution chart. Grade disputes will not be permitted to proceed any further unless evidence of discrimination or a violation of rights can be demonstrated (Private University, 2014a, p. 89).

The section suggests to contact the faculty member and if the dispute is unresolved, for the student to contact the academic director or the assistant dean. This can cause some confusion for students, since the academic director and assistant dean's contact information is not made available in this section. Students that may need to seek assistance beyond their faculty member, may cause additional stress and an escalation in the conflict (Dannells, 1997; Holton, 1995; Thomas, 2003).

The academic grievances section states:

Academic grievances are related to classroom and instructor activity. For academic matters, students should follow the academic grievance process of the

college or school offering the course. The Levels of Appeal for Problem Resolution chart indicates the specific contacts for academic grievances (Private University, 2014a, p. 89).

The type of grievance category is unclear in this section, in its relation to classroom and instructor activity as stated in the above section. It is unclear the grievance process for each college or school, since a link has not been provided for a general or school specific grievance process. The information appears to be confusing and inconsistent, with little option for an informal resolution process such as mediation.

The administrative grievances section states “Administrative grievances are related to academic policies and administrative actions. For administrative grievances, students should follow the administrative grievance process for their college or school indicated in the Levels of Appeal for Problem Resolution chart” (Private University, 2014a, p. 89). The academic policies that are referenced are unclear. A direct link is not provided in this section to specific student policies or university policies. The administrative process is indistinct, and it does not note what the student can anticipate.

The section for harassment or discrimination states that “Information on these policies can be found in the [Private University] Student Handbook at [link for Private University’s student handbook]” (Private University, 2014a, p. 90). The link provided is not functioning and led to an error message. It is unclear to the user where to find the information as provided on this webpage.

In the “Problem Resolution Procedure” in the Student Catalog, there contains a section labeled “Grievance Time Limitation”. This section states

Grievance procedures must be initiated in a timely fashion no later than the end of

the semester following the occurrence of the grievance issue. The student may forfeit all rights under the grievance procedure if each step is not followed within the prescribed time limit (Private University, 2014a, p. 90).

An anticipated timeframe for the resolution process is not stated in this section. For conflict to be resolved it must be reported and managed in a timely manner (Deutsch et al., 2011). This could discourage students, given the array of student grievances in colleges and universities throughout. Out of fear, hesitation, etc. there may be a reason that hinders them from reporting a dispute or a grievance within that timeframe.

Private University provides procedure for academic and administrative grievance processes:

Specific contacts are indicated in the Levels of Appeal for Problem Resolution chart. Grievances must begin at the first level contact. Grievances brought to higher level contacts without previously going through the appropriate academic or administrative grievance procedure will be referred to the appropriate step in the process, thus delaying problem resolution. Students who are not sure of the appropriate university employee to contact about an academic or administrative issue should communicate with their advisor or refer to the Level of Appeal for Problem Resolution chart (Private University, 2014a, p. 90).

Students are asked to follow the appropriate steps for resolution, or their steps towards resolution will be delayed. Deutsch et al. (2011) explain that rigid systems can hinder the progression towards conflict resolution, and flexible processes accommodate the relationship to breakdown societal or organizational norms. Private University provides a format titled “Student Action Request” (SAR) that states

Student Action Requests (SAR) are used to request waivers from specific university, college, or school policies under unusual circumstances. Students can officially request a waiver from a published academic policy by completing a SAR. Before a SAR is submitted, students should seek advice from their academic advisor in an effort to resolve their issue of concern and determine if an official SAR is necessary. NOTE: If a SAR involves changing enrollment status, including dropping courses, the action may affect students' eligibility for financial aid (see Withdrawal from Classes in Academic Resources and Procedures).

How to Submit a Student Action Request. The following information must be included in all Student Action Requests. Requests lacking the required information will not be reviewed. Students should consult with their academic advisor before submitting a SAR. The SAR should then be submitted in person to the academic advisor or be sent as a Word document from the student's official Private University email account if they cannot meet in person (Private University, 2014a, p. 90).

The process to generate an SAR form from Private University places the responsibility on the student to contact their advisor prior to filling out the necessary information. The provided information does not indicate a timeframe for response or resolution. Should a student not need to fill out the form as advised by their advisor, it is unclear what alternative actions should be taken. Austin (2002) recommends that advisors be trained on ways to manage conflict to increase student satisfaction. With numerous advisors managing disputes in addition to their primary role to advise students, the outcomes for each process has the potential to vary. Hoorebeek et al. (2011) explain that

a well-defined protocol is necessary with the wide diversity of student complaints and disputes. A conflict resolution framework in higher education that provides clear direction and an ease of process reduces the potential for future complaints (Dolinsky, 1994). In addition, the onus of initiating the request and speaking with an advisor falls on to the student. Students are likely to use a dispute resolution process if it is easy to use and if there is a collective interest of support between school and student (Volpe & Chandler, 2001).

Private University asks students to provide the following information when submitting an SAR (Private University, 2014a, p. 90):

- Student Name
- Student ID number
- Major/Program/Site Location
- Day/Evening Phone Number
- Mailing Address
- Email Address
- Problem: Provide an explanation of the problem and include any pertinent documentation as support.
- Action Requested: Provide an explanation of the requested action. Include the referring page in the current undergraduate student catalog for the policy in question or any other relevant information, including specific courses or terms.
- Prior Action Taken: Provide a list of all individuals contacted about the problem, including their departments.

The form provides a clear description of what is needed to initiate a request. The



form notes that an email address is required, however it was previously stated that the form can be delivered to the advisor in person. An interactive system is not available, therefore there is little documentation and tracking of the request. The application of appropriate documentation and a careful attention to detail for student complaints is a preventative measure against litigation cost and reputational risks (Hoorebeek et al., 2011).

The process also includes a link that provides more information regarding the submission of an SAR, and it was found to be an invalid link that resulted in an error message. It is also noted on this same page that a student can find the information on the school or college in which they are enrolled for more information. Depending on the school or college there may be variability in the goals to manage student conflicts; it is recommended that schools and colleges have an established definition of their goals (Holton, 1995). The contact person is unclear, and the burden falls on the student to seek additional assistance outside of their advisor, the submission on a SAR, student handbook, and the problem resolution procedures in the catalog. “For more information on submitting a SAR, students can visit the Web site of the school or college in which they are enrolled” (Private University, 2014a, p. 90). A complaint protocol must enable a productive process and a positive forum for the parties for a continued relationship (Constantino & Merchant, 1996).

The procedure for submitting academic and administrative grievances states

Academic grievances involve course-related issues originating from classroom or instructor activity. When formal grievance steps are perceived necessary, students have a right to a fair process and hearing without fear of

retribution. Because grievances can often seem adversarial, it is recommended that students pursue local or departmental resolution to problems and discuss problems with appropriate parties before resorting to formal grievance steps. Academic difficulties in a class, for example, should always be discussed first with the faculty member teaching the class. Problems that cannot be resolved with the faculty member or party involved should be discussed with an advisor who may be able to help students pursue an additional step in the process. If the issue concerns the fairness of a grade, students should refer to Grade Disputes, previously discussed in this Problem Resolution Procedures section (Private University, 2014a, p. 91).

An informal approach, where students meet with their appropriate faculty, is suggested prior to seeking the “Problem Resolution Procedures.” Students are likely to choose a less formal process out of fear for an impact on their personal reputation or quality of educational experience (Harrison, 2007). In addition, some students are likely to drop courses, miss classes, or drop from a program if there is a conflict with a faculty member (Harrison, 2007).

The section continues to state that “When formal grievance steps are perceived necessary, students have a right to a fair process and hearing without fear of retribution. Because grievances can often seem adversarial...” (Private University, 2014a, p. 91). The term “retribution” and “adversarial” each hold negative connotations, contrary to the theory of conflict resolution. Conflict can be a productive part of life’s experiences and conflict holds meaning and purpose (Warters, 2000). It provides an educational experience for all parties to utilize empathy and resources to maneuver through the

conflict. The challenge for higher education is to manage conflict and to take realities of academic life and foster constructive ways to manage conflicts (Holton, 1995). When conflict or grievance is left unresolved, the conflict is then escalated to becoming adversarial (Harrison, 2007; Thomas, 2003).

In reviewing the undergraduate student catalog at Private University, the following are the recommended steps to follow for a grievance: “Step One: Meet with the faculty member or party involved. Students should discuss their grievance with the appropriate faculty member or party involved no later than the end of the semester following the occurrence of the grievance issue” (Private University, 2014a, p. 91). Research suggests that students are conservative in their complaint behavior with faculty members out of fear of negative consequences (Su & Bao, 2001). Also, students perceive faculty and university administration in roles of power (i.e. coercive, legitimate, expert, informant, reward, and referent) (Su & Bao, 2001). The initiation of meeting with a faculty member may be difficult for a student to approach, and a student may choose avoidance as a tactic if this is the case.

Step Two: Meet with the advisor. Students who feel that their grievance was not satisfactorily resolved after meeting with the faculty member or party involved, should meet with their advisor for guidance in submitting a formal complaint in writing, using a Student Action Request (SAR). Prior to submitting the request, students should carefully read and be aware of any consequences if the grievance involves changes in enrollment status. It is also essential that students maintain copies of relevant documentation (emails, medical documents, etc.) sent to academic advisors or other Private University personnel. For detailed instructions

on submitting a SAR, students should refer to the preceding Student Action Request section in this catalog. After receiving, reviewing, and signing the SAR, the advisor will send it to the appropriate party for a decision. Once a decision has been made, the decision will be communicated to the student at the address on record or to the [Private University email] address (Private University, 2014a, p. 91).

Continuing the review, it is recommended that students meet with their advisor for guidance should the complaint not be resolved to the student's satisfaction. The academic advisor's training may not be clear, and if it indeed includes conflict resolution and for the specific steps with personnel that will be involved in the additional steps to resolve the conflict or dispute. The communication has a negative tone, which is not inviting for students to seek assistance with their issue. It states that there are consequences that could affect the student's enrollment status. Research states that the best colleges and universities integrate a unified approach that reinforces institutional values, while creating a caring and compassionate environment for students (Dannells, 1997). In addition, it is stated that the advisor will send the SAR to the appropriate party for a final decision. A timeline for receipt of documents to be reviewed, and the appropriate party, could vary from school or center within Private University. Without the presence of a well-designed system and consistent remedies, additional pressure is placed upon the decision maker (i.e. administration), thus creating disproportion in the outcome (Hoorebeek et al., 2011).

Step Three: Appeal to the college/school administrator or committee (see the Levels of Appeal for Problem Resolution chart). After receiving the decision to

the SAR, if students feel that based on their expectations the issue was not satisfactorily resolved, they may appeal in writing to the administrator or committee at the next level (see the Levels of Appeal for Problem Resolution chart). The appeal should consist of a letter explaining the reason that the students are requesting the exception to policy and should contain official documentation to support the request. After the appeal is reviewed, students will be sent a written reply from the appropriate administrator or committee. The response will be sent to the student's address on record or to the Private University email address (Private University, 2014a, p. 91).

A timeline for the resolution process and resulting decision are not made clear in this section. This could affect a student's enrollment status, and could potentially force a student to withdraw from the school. Students may generate coping strategies that include avoidance, silence, and anger, which increases the likelihood of dissatisfaction (Brown & Mazzarol, 2009). Student satisfaction is highly linked to support services in universities and colleges, and responsiveness and empathy have direct correlations to satisfaction (Browne et al., 1998; Elliott & Shin, 2002).

Step Four: Final appeal. Students who feel that their issue is still unresolved after receiving the decision of the administrator or committee, may submit a final appeal, in writing, to the dean or committee indicated in the Levels of Appeal for Problem Resolution chart. Students will receive a formal response either by mail to the address on record or to their Private University email account. This decision is final and binding and cannot be appealed (Private University, 2014a, p. 91).

This final step requires a written appeal to the dean of the school or to the

committee. The responsibility is placed on the student to find the contact information for either the dean or a committee member. In addition the same documentation that was needed for the previous steps will need to be provided as well in the escalation of appeal. A timeline for review of the appeal is not provided. This section states that the decision from either of these parties is final and binding. Conflict resolution theory is flexible and supportive, with high regards towards empathy and resolution (Bush & Folger, 2005). It is not noted that a formal meeting face-to-face meeting is to take place at the escalation towards an appeal, therefore the process happens electronically.

### **Qualitative Analysis Results**

As is consistent with best practice in reporting qualitative case study data, (Holliday, 2007; Knight, 2002; Travers, 2001), data obtained from the qualitative interviews was categorized into two broad themes. Within each broad theme, a set of subcategories emerged which helped in providing additional detail and depth of understanding to the conflict resolution processes at each school. The two general themes that emerged were (a) responses related to the logistical processes that guide the function and process of the office, and (b) the underlying theoretical and philosophical underpinnings that guide practice and explain the mechanisms of change. Within each general, overarching theme, a series of emerging themes will be offered to provide further understanding and detail in the conflict systems (Holliday, 2007).

#### **Overarching theme 1: Logistical processes of a conflict system.**

**General Referral Processes.** Public University stated that they receive reports of violations in university policy and determine whether a formal or informal process is necessary. Depending on the nature of the dispute or conflict, public university assists in

looking for the best resolution option for each conflict. Informal processes included a facilitated dialogue or an information meeting where students are made aware of their rights and responsibilities. Informal processes and mediation assist in de-escalating the conflict in private university.

Private University can be notified of an incident of an alleged violation of university student code of conduct. Each violation may be managed in a few different ways, e.g. mediation is required for roommate disputes, and student progress committee hears academic dishonesty or behavioral situations. Private University policy states that a student must handle the grievance with that office or area prior to seeking outside assistance. The OSA stated that “The policy states that the students need to do everything they can to resolve a grievance or dispute with that office or area. If they cannot, then they come to me....I’m the last resource” (Private University, personal communication, April 9, 2014). It was also stated that students often find it difficult to navigate through the dispute process and find the assistance they need in a timely manner. “What we have found is that students have difficulties sometimes to connect with the person that can help them. I’ll help them” (Private University, personal communication, April 10, 2014).

### **Public University’s Conflict Resolution Processes**

Public University’s office of the SCCR originally was established as the Office of Judicial Affairs. As such, the office focused primarily on enforcing student code of conduct issues and levying discipline when necessary. Over time, and through the Associate Dean’s vision driven by his experience in law and in mediation training, the office transformed to include a focus on resolving interpersonal student conflict issues as well as developing a restorative justice perspective. “I wanted to create a program to help

students in resolving conflicts, and also be able to view issues differently that came to the judicial office” (Public University, personal communication, April 4, 2014). While the systems that exist at Public Universities continue to be driven by the student code of conduct, the mission of the office is to transform the student, changing the manner in which they handle conflict in the future.

I view student work as transformative, and I look for new ways for students to grow and develop. I saw that there were poor interpersonal and communication skills, and personal dialogue and conflict resolution does that. There really was no office that filled that void (Public University, personal communication, April 4, 2014).

The development of the SCCR has been carefully conceived in order to maintain clarity between the services offered in SCCR and those offered by the Office of the Ombuds. Public University explained that Office of the Ombudsman serves as a good informal channel should the student’s issue be with a particular department. The SCCR maintains a more formal position of conflict resolution pulling from its early roots in judicial affairs. As such, SCCR serves as the office allowing for a more formal handling of a student’s violation of the student code of conduct with an increase in liability due to processes of formal hearings.

There is a wide variety of behaviors that interfere with the community but don’t necessarily rise to the level of a conduct violation....and we needed a better answer. There may not necessarily be a code of conduct violation, but there is an opportunity for discussion for both parties to learn and grow (Public University, personal communication, April 4, 2014).

The SCCR was developed with the primary goal to utilize all the processes that



are available to this office, including mediation, restorative justice, conflict coaching, and alternative dispute resolution (ADR). Should the student's dispute or grievance not be a direct violation of the Student Code of Conduct, the SCCR offers these alternative services to help them to succeed with their interpersonal relationships and for them to succeed academically.

The advantages of having ADR in our office is that people view our office differently, rather than just the place where you go when you get in trouble...it's a place where people can come for help, and it's a resource. There's a more positive outlook on our office and it raises morale of the staff because we work positively for students (Public University, personal communication, April 4, 2014).

**The SCCR and ombuds office.** The SCCR and the Ombuds Office oversee distinct conflicts on Public University's campus. The Ombuds Office provides departmental oversight with issues that are directed towards an academic unit. The SCCR, given its home in the Dean of Student's Office, serves as a place where most issues come that are not related to departmental issues. Both offices provide support for one another should the initial case analysis exceed the operation and responsibilities of the receiving office. For instance, should a dispute or grievance fall outside of an academic department's policy then the SCCR would be called in to assist. The SCCR and the Ombuds Office provide a foundation to handle the wide array of student disputes that exist on Public University's campus.

I believe that we (the campus) have all the systems in place to handle any type of issue that may arise...there is not a gap that does not address an issue...and the

message we like to send to students is, if in doubt come to the Dean of Students Office (Public University, personal communication, April 4, 2014).

**Assessing outcomes.** The SCCR is built on the mission to transform students, assisting in the way students approach and manage conflict. The goal is to provide valuable conflict resolution skills to students that are involved in conflict, and to enhance the way they perceive conflict.

We hope that the student or students learn effective communication skills in interacting with us and that the conflict can be resolved, at least to the extent that they can move on in their academic programs here. And they pass on that this resource exists to other students. We certainly hope that the relationship can be mended between the parties, and sometimes it's not always possible- but we can help you to co-exist here (Public University, personal communication, April 4, 2014).

Public University states that engaging the student is a part of their overall goal, and that the hope is to retain the student through their office. The office experiences high interaction with students, once a student has received services and another issue arises, often times they will return to the SCCR for help. Public University stated that the conduct appeal rate is less than 2 percent, which insights that there was a positive experience with the SCCR office. "Our campus emphasizes student support and student engagement, our retention rate is high and I do believe that the SCCR is a resource for students that helps enhance their collegiate experience" (Public University, personal communication, April 4, 2014).

### **Private University Conflict Resolution Processes**

The Office Student Affairs (OSA) at Private University was originally developed on the foundation of conflict resolution theory to manage roommate conflicts for on-campus, undergraduate students. Over the years, OSA morphed into being the primary outlet for handling student disputes.

It was built upon the service and support that a person who was trained in conflict resolution could provide support for students that lived in residence halls...it has now transformed to something broader where we try to assist with a variety of issues (Private University, personal communication, April 9, 2014).

As the traditional undergraduate student population grew, the need for mediation services shifted back to the residential halls. During this transformation, many of the key aspects of the program and its foundation in conflict resolution theory were abandoned, which defeated the premise from which it was built. However, the OSA does refer some cases for mediation to the Office of Residential Life (ORL) for mediation services. ORL has a dedicated graduate assistant position from the doctoral program in conflict resolution responsible for conducting mediations receive annual conflict resolution and mediation training. The OSA participant stated

While as it started as roommate conflict, it has moved in to an alternative for judicial matters. Our office is meant to support the student code of conduct...and also to see students that have a non-academic grievance that may not need mediation. If they have an issue and are unable to get it resolved, then I can help to get it resolved (Private University, personal communication, April 9, 2014).

The current Graduate Assistant (GA) for mediation services in the Office of Residence Life (ORL) at Private University echoed the same sentiment,

explaining that cases that surface that are in violation of the Student Code of Conduct escalate to the OSA. The OSA serves as the multifaceted unit that manages conflict on both an informal and formal scale. Currently, Private University does not have centralized approach to disciplinary matters nor does it have dedicated offices that could handle the entire spectrum of student complaints. Should an issue arise, students are asked to work with their individual academic program for assistance, and if a resolution is not reached then the issue can be directed to the OSA. The OSA assists with judicial matters and they also serve as an informal ombudsman resource for student disputes.

Our office serves as an ombuds because we do work with students to deal with non-academic conflicts and we take on that role...we've never had a student say that they couldn't find a place that would listen to their problem and help get it resolved (Private University, personal communication, April 10, 2014).

The participant believes that as Private University grows, then more formal conflict resolution systems may need to be put in place, such as an office of an ombudsman and an ADR office, as currently those offices do not exist. More troublesome, however, is that the services that are typically covered by these offices are simply not addressed in the Private University student dispute resolution process. The OSA participant and the GA agree that the proper systems exist throughout the campus at this time to support students with conflict.

The participant explained that while the OSA does not practice conflict resolution theory per se, their office will assist with students that are in violation of the student code of conduct and for those with interpersonal conflicts through a set of less prescribed methods. Should the OSA believe that a case is primed for a formal mediation then the

case can be recommended to meet with the GA in mediation services. The OSA does oversee judicial issues as a formal process to resolving student code of conduct violations, but they do advocate for informal processes. The OSA does not focus on changing the student or the behavior, but bringing a resolution to the problem. There is focus on resolving the immediate problem in the best interest of the student and the university to encourage the educational experience.

We want to make the student aware of how approach and resolve their own conflicts...many students do not know how to handle conflict on their own as traditional undergraduate students, so it's part of educating them how to approach a situation differently. It's a significant educational component (Private University, personal communication, April 9, 2014).

The GA stated that in addition to the educational experience, mediation services serves as the place where student to student issues can be remedied. The mediation services has not been asked to extend its services for faculty to student disputes as of yet. The primary goal is to assist interpersonal relationships amongst students that live in the residence halls, mostly roommate to roommate disputes.

**Assessing outcomes.** The OSA works with students to transform the way that they approach conflict, by creating a trusting and confidential environment where someone listens to their concerns. The OSA aspires to teach students ways to resolve future conflict by providing a supportive system that includes conflict resolution approaches that include facilitation and mediation with the Associate Dean of Student Affairs, which is seasoned in these areas.

The OSA hopes that the students can be exposed to a progressive avenue of

managing their conflicts. Students are given the opportunity to remove the negative stigma of conflict, with the services that are provided in the office of the OSA. The OSA would like to see that all cases that come to their office are resolved, and that the parties involved are satisfied. The participant believes that the services provides a change in students approach to conflict and their experience will be shared with others on and off campus, so that they too can utilize this office as a resource. In addition, the GA for mediation services would like to see relationships mended as well, and for more off-campus participants to seek these services. The GA explained that off-campus and international student conflicts are not likely to find the mediation service office due to its location in residence life. This has hindered the accessibility to help those outside of residence life, although the GA is willing to help anyone with their disputes to enhance their experience while at Private University.

### **Publicity/Accessibility**

Private University's OSA has information available in the student handbook, and also cases are referred to this department through ORL if the case of a roommate dispute is unable to be resolved with mandatory mediation or vice versa. Students may not realize that this office is the last resource or last resort and often times resolve the issue on their own. The SCCR at Public University uses student forums to market their services and the utilization of their law students for events to interact in informal advice sessions on resolving conflict. The SCCR's information is available in the student handbook and lists of services are available on the website.

### **Utilizing Resources**

Public University has three directors and two graduate assistants in the office that

help assess the path of conflict resolution for each case. In addition, each year the office trains law students and utilizes their skills in student mediations. With limited funding for conflict resolution, this has been a progressive way for public university to obtain additional assistance, at a lower cost, and as a benefit to the law students to received mediation certification at a low cost. In hosting conflict resolution workshops, public university's office seeks to train volunteers such as the law students.

“People who do conflict resolution work are always willing to volunteer their services because they believe so passionately in conflict resolution” (Public University, personal communication, April 4, 2014). Self-service volunteers throughout campus keep out-of-pocket costs low, such as a librarian who was a meditation trainer in her previous career, and now serves as an additional resource for Public University. “Sometimes, you just have to call out and you’ll find many people with some kind of conflict resolution training” (Public University, personal communication, April 4, 2014).

Private University uses graduate assistants (GA) from their Conflict Analysis and Resolution Doctoral program to serve as on campus mediators in residence life. “It’s been successful in that the applications for the position have been competitive” (Private University, personal communication, April 10, 2014). Having graduate students facilitate residential life and roommate disputes, offering experience to the graduate student and successful mediation case party participation.

## **Overarching theme 2: Theoretical and philosophical foundations guiding practice.**

*Elements of theory/skills training.* Public University receives certified mediation training for the office staff and law students that assist with some on-campus mediations.

The department is focused on utilizing conflict resolution skills such as mediation, reframing, and identifying interests and needs. The elements of theory exist, in ways that are the primary focus to assist students is conflict resolution cases. The office does not adhere to one particular conflict resolution or mediation theory, they prefer to be flexible.

We really have been more focused on conflict resolution skills, things learned in mediation, obstruction of justice, reframing, and positions in interests versus need. Different communication, strategies, and skills...we take what we know from what we've been trained in and try to find the best way to manage as they come-given what we know about the situation (Public University, personal communication, April 4, 2014).

The staff may not be familiar with certain theories, however elements of theory exist using the skills to identify the needs of the parties, and to guide them through necessary channels for resolution, e.g. mediation, restorative justice, conflict coaching, or facilitated dialogues. Given more time in the work week, Public University would like to have more time to learn more about conflict resolution theories and how they can facilitate a better experience for the school and the student.

Private university uses graduate students in the conflict analysis and resolution program use their mediation training when managing roommate disputes. The participant in the interview stated that they were not trained in mediation and that graduate students manage roommate disputes. In private university's student dispute resolution office, there has not been any formal mediation or conflict resolution training. The participant explained "I wish there was a theory that I used, but there isn't" (Private University, personal communication, April 10, 2014).

There are different outcomes for each of the student disputes, from harassment,



discrimination, roommate disputes, vandalism, etc. With the broad nature of the disputes, there is a need to be flexible and to be mindful of due process as it relates to university policy. Training has been done sporadically and voluntarily with faculty and staff, and if were readily available and convenient, the office would take full advantage.

### **Philosophy of Change**

Public university explained that the objectives of a good dispute resolution system should be educational for all the parties involved. Trust and being responsive to conflict leads to continued confidence in the process itself. As Dannells (1997), states that students that feel a collaborative contribution towards a dispute resolution process embrace responsibility and develop a moral contribution to the campus community.

#### ***Public university.***

I want them to walk away with some new skills to resolve conflict, some new communication skills, such as listening, refraining want those to learn empathy because I think that all form of conflict resolution partially can enforce you to see the other's person perspectives and I think that is the best way to keep empathy. I want students to learn that there are much more effective ways of resolving conflicts, obstructive of justice than resorting to power and violence. I think conflict coaching mediation teaches those things and role model for student...and so, I want them to learn to do a better job (with conflict) because you just can't block your coworker (Public University, personal communication, April 4, 2014).

First and foremost, be prompt, fair, and equitable. So, it can't be bias towards one party or the other. I think it has to be timely, so you can't have really long delays to get the resolution. It has to be educational in nature...it has to be

flexible enough to be effective for different kinds of students...give confidence, so you can adapt to and have students interact with it (Public University, personal communication, April 4, 2014).

***Private university.***

Private university states that the job of their office is to prevent conflicts from escalating. Depending on the nature of the conflict, it becomes challenging to deal with a broad array of conflicts and different generations of students (undergraduate and graduate). There also exists the need to cater to traditional and non-traditional students on campuses to meet a variety of needs and through comfortable communication approaches (Florida Department of Education, 2003; Jenkins, 2012; Kim, 2002).

I like for them to walk away with several things, and I guess I mean to kind of frame it to understand mostly today's generation. However, as I say, I am not only dealing with 18 year olds, most of the most significant problems on campus are with graduate students in their thirties, forties, fifties...I hope they can understand it's not all about you and what they want right now and that there are appropriate ways of behaving in this environment...that we expect certain kinds of behavior, civil behavior, in this situation. We are here to help people and assist people and also we are expected to behave in a certain way... and I hope they leave with an understanding that there are multiple ways to resolve their concerns or disputes (Private University, personal communication, April 10, 2014).

Responses regarding to how a system can work optimally included trust and fairness from both public and private universities. Positive environments that are created for students with disputes or for students that are in violation the student code of conduct,

eases negative behaviors and allows for confidence in the process (Weeks, 1994).

I think for most at their 18 teen years of age...I've been the first person in their lives that they have been hold accountable for their behavior which is a little scary sometimes. But, I think it does provide the venue for students to be able in a safe environment to say what they want to say, how they feel, and have a dialogue with somebody. We've done assessments of it, in terms of student satisfaction, and the level has always been pretty high (Private University, personal communication, April 9, 2014).

### **Informal versus formal processes**

Both public and private university note that the escalated conflict can be avoided in using informal resolution processes. Informal approaches such as Alternative Dispute Resolution often reduce costly and time consuming litigation (Harris, 2007; Warters, 2000). Also, informal process equalizes power amongst the conflicting parties and provides a more constructive approach towards conflict (Eagle & Brennan, 2007; Volpe & Chandler, 2001).

#### ***Private university.***

I've had students coming complaining on racial discrimination, things of this nature. Then, there are other policies that cover that. She is not in a violation of the student code of conduct (referring to an example). You know, I just have a complaint, I am just not happy with something ...Then sometimes we are able to, I am able to assist...in talking with people because what we found is that the student has difficulties sometimes, or is unable to connect with the person that can help them. I'll help them (Private University, personal communication, April 10,

2014).

It's interesting because when I got deep into conversation with these faculty, I usually look at them and say "you have the right to remove the student from the class" ...does it mean you can find an alternative way?...We have done this before. Yes, all faculty and staff can be educated and trained a little bit...on awareness; what the options are, and what you can do (Private University, personal communication, April 9, 2014).

***Public university.***

If we initially decide now we are going to start with conduct charges then we will follow our conduct process to our initial meeting with the student in which we call an information meeting, talk with the student about their rights and responsibilities, and the conduct process, giving a chance to review the report written. And then talk to them a little bit about what happened. Sometimes in that meeting we decide to put a stop of the conduct process and refer to conflict resolution...typically restorative justice or mediation at that point (Public University, personal communication, April 4, 2014).

Most people will see that formal conduct charges are not always going to get you the best resolution. In the situation I described, the roommate conflict, if you are using formal conduct charges and you are charging the parties for the violation of policy, so now you probably made them angrier at each other because from their respective each got each other in trouble with the university. However you resolve their dispute you would only intensify it (Public University, personal communication, April 4, 2014).

One of the interesting aspects to consider as it relates to the respondents' philosophy of change is whether their perspective is driven by practical circumstances or a deeper-rooted belief in how people change. Said differently, it appears as though each respondent approaches conflict with an eye to looking at the particular aspects of each individual that enters the conflict process and the uniqueness that their situation holds, rather than viewing conflict as a consistent issue with known strategies for resolution. The mindset of the respondent could be interpreted as relativist, perhaps explaining why each system is not deeply committed to a more positivist approach of theory-based solutions and data driven information systems. Further detail follows in the study analysis.

### **University Culture**

Administrative support for student resolution processes was noted as present and essential in public and private university. Collaborative cooperation of administrative, faculty, staff, and students is imperative for the success of a dispute resolution process (Harris, 2007).

#### ***Public university.***

If there isn't buy-in from the upper administration, the perception is that you are being soft, you are condoning the behavior. So your upper administration has to understand what the true goal of student conduct is, the discipline process, the dispute resolution process is. And that is, actually to resolve the underline dispute so it doesn't come up again. So you have to have buy-in from the upper administration saying use whatever method that is going to best address the behavior and prevent it from occurring again (Public University, personal

communication, April 4, 2014).

I think you got to have to buy-in from the places you are likely to have referrals...If we start small starting a mediation, and not with all these options, just starting the mediation, who would refer cases to us for mediation? Well having police department, fraternities and sororities, students' activities, minority programs, disability resource center, multicultural and diversity affairs, so we literally brainstorm what kinds of cases we would potentially see that would make their referrals (Public University, personal communication, April 4, 2014).

***Private university.***

It's important that the university has supported this program, this position. The support of course came from the conflict resolution department (in reference to mediators in residential life)...There has been continual support from the Vice President of Student Affairs... and I think in the end even though some might been mandated (roommate dispute mediations), it has been successful because of the student participation – no there's never been a major protest (Private University, personal communication, April 9, 2014).

**The Mindset of the Practitioner**

As mentioned earlier, Private University's OSA was initially built with the idea that it would utilize conflict resolution theory as the epistemological framework to support the understanding and resolution of student conduct issues. As the school began to grow in its student, faculty, and staff population, as did the demand for an expansion in dispute resolution and conflict resolution services, however the theoretical foundation shifted solely to residence life. While the expansion of services in the OSA did not keep

pace with the expansion of the office staff, the demands on staff time soon increased to such an extent that training and evaluation were pushed to the background. Time dedicated to training has been limited to meeting the immediate needs of each case as the school grows and the number of hired staff decreases.

The Associate Dean of Student Affairs has become the primary contact for students that have conflict issues. Thus, combined with the fact that the Associate Dean has never received training in conflict resolution in any formal way, may leave the administrator lacking confidence to do her job effectively. Several responses to interview questions support this feeling. “If a faculty member is dealing with a student in class and, um, the student is difficult, the faculty usually sends the student to me. They haven’t had any training either so I guess they think I can help” (Private University, personal communication, April 9, 2014). “I am not a trained mediator, I haven’t had any coursework in mediation, which is why I go crazy (Private University, personal communication, April 9, 2014).

My graduate degree is in higher education from [name omitted] University. I never received any type of, um, training in conflict or mediation. I learn as I go and I did some reading but I never really had a formal background in the area.

(Private University, personal communication, April 9, 2014).

Public University, on the other hand, has a system that was built by individuals with strong backgrounds and training in conflict resolution and mediation. The SCCR system was originally conceived as one that is rooted in best practices both in terms of the breadth of services offered as well as the theoretical foundation on which the system was built. However, as time has passed, SCCR has drifted into a less theory-based system

to one that appears more atheoretical and reactive.

As it stands currently, the Public University and Private University systems are operating in very similar ways in terms of their lack of commitment to theory based models and empirically supported. The reasons stated for this drift into a more reactive system are not unique and appear to be quite consistent with those stated in many other areas. Several studies have been conducted that look at barriers to applying research based systems to practice settings. By and large, these studies emphasize the logistical barriers of research dissemination to practitioners (Kaskutas, Morgan, & Vaeth, 1991).

Time demands and limited resources are often considered the primary reasons why the transfer of research into practice settings is limited, exactly the sentiments posed by the participants in this study. However, it may be possible that the practice setting transforms the thought mindset of the practitioner to become more relativist in their perspective. Part of the driving force for this could simply be that conflict resolution theoretical frameworks and research findings are not amenable to application in practice settings.

While conflict resolution and mediation research and theory are available, it may not be adequately accessible to practitioners. Accessible findings are relevant, practical, easy to understand and implement. Typically, the academicians that are responsible for research in conflict resolution work in academic settings and write for academic journal audiences hence rendering the material potentially overly complex and useless to practice settings. The irony here is that the practice setting is housed within an academic institution yet the practice settings, even with their great disparities in the ways they are designed and managed, end up with practices that are not theory based. The ramifications



of this perspective will be further explored in the discussion section.

## **Chapter 5: Discussion and Implications of the Study**

Today's institutions of higher education have become more multifaceted in terms of the service they deliver to students. In addition to providing a high-quality academic experience, colleges and universities must also ensure that students have a positive experience when dealing with the various student support services, administration, faculty and other students. One step in ensuring positive experiences is the development of effective systems of conflict management and dispute resolution. These systems are key in providing the student with the level of support necessary to help them should they experience adversity at any point in their academic process. Systems of conflict management and dispute resolution will also aid in efforts to retain students, a concept that has received significant focus recently. In addition, accrediting bodies, state departments of education, and other discipline-specific licensing bodies (e.g., American Psychological Association, American Medical Association) demand that systems of accountability are put in place that allow for all student complaints to be appropriately registered and resolved. While universities have worked to ensure that they satisfy these requirements, little information exists as to how these systems were developed, whether the systems are employing best practices, and whether any theoretical frameworks have been applied to support their existence.

This study was intended to develop a deep understanding of the current practices in conflict management and dispute resolution at two universities in Florida. Interviews and content analysis of the university catalogs and web-based systems served as the foundation for a deep-level, descriptive analysis of the conflict resolution systems.

The data collected was constructed to help build a thorough explanation of the

systems as they are currently employed. Analysis of the system was conducted utilizing best practices in conflict management and dispute resolution in general, and in the context of higher education in particular. The results presented earlier in this thesis provide a framework for understanding how each of the systems is currently built and how each operates. The following sections will frame these results in the context of the literature, highlighting aspects of the current systems that appear to be working well as well as those that could benefit from a more scientific approach to design and implementation.

### **Student Satisfaction and Higher Education**

The two university offices in the present study each have systems in place to manage student disputes. Each of these systems is housed within their respective offices of student affairs. The departments appear to be easily accessible to on-campus students, and are designed to offer students a supportive service for managing their disputes. As previously discussed, the mere existence of these offices should result in students that are satisfied knowing that there is an office willing to assist should a problem arise (McEwen, 2005). While the simple presence of the office is important, it must be noted that the conflict resolution process for students can be detrimental should it be disengaging and frustrating when an office does not adequately support their needs. The schools in this study appear to acknowledge this, as both cite student satisfaction as their primary concern. This commitment to student service is clearly reflected in the mission statements that support each school's office. At Private University, "The mission of the Office of Student Affairs Office (OSA) is to foster student success and a University community...Student Affairs provides co-curricular learning opportunities and services

that are conducive to student growth and development” (Private University, 2014d, para. 11). At Public University

The Office of Student Conduct and Conflict Resolution (SCCR) provides Conflict Resolution services to students in order to aid them in effective conflict resolution processes and develop students' abilities to handle conflict effectively. The Conflict Resolution services provide students an avenue to address and resolve interpersonal conflicts which may include but is not limited to conflicts between members of a student organization, roommates, students within a class or study group, faculty/staff and students, and friends (Public University, 2014b, “Conflict Resolution Services”, para. 1).

Systems that are designed with thought and purpose are successful in meeting the needs of students. As previously stated, departments such as these are multi-faceted and manage a diversity of needs and interests from university students. There is no evidence that the structures that are built to resolve student conflicts and disputes are based on theory. It is still unclear whether colleges and universities are building conflict resolution programs to support students based on theoretical models (Volpe & Chandler, 2001). In the absence of theory, inefficient systems could be created that are difficult to assess and evaluate.

### **Conflict Resolution to Service Students**

Both Public and Private University appear to have services available to assist students with disputes utilizing basic tenets of conflict resolution. Though they both do not adhere to one theory or another, Warters (2000) explains that these can be Band-Aid responses. As the student population for both universities continue to grow domestically

and internationally, so will the student demands and disputes. As stated previously, student conflicts are inevitable, and proper systems need to be in place to generate student satisfaction and to safeguard university policies. The impact on dissatisfaction as it relates to retention is unknown, and it is difficult to evaluate the effectiveness of the resolution process in the absence of research and measures of efficiency.

### **Building Conflict Resolution Systems in Higher Education**

It was previously noted that proper training for staff members is key to ensuring that service delivery is equitable, consistent, fair, and effective. Without staff training, the conflict resolution process can be somewhat fragmented, lacking coherent logical linking strategies to success, and lacking the appropriate framework necessary for allowing for successful measurement of outcomes (Brockman et al., 2010). The SCCR and the OSA indicated that staff members had some basic familiarity in the area of conflict resolution, but no extensive or consistent training outside of the area of mediation. The Associate Dean in the OSA indicated that despite a lack of formal training for himself or his staff members, they are called upon to manage student conflicts on a daily basis. The GA in ORL, on the other hand, has been trained in conflict resolution theory, but operates independently of the OSA. The Associate Dean in the office of SCCR has been trained in the area of law and mediation, but there has not been any training in conflict resolution theory specifically. Administrators who are unaware of conflict resolution tools and strategies that emerge with theory based training are less aware, and may be unable to attend to conflict as effectively, which can impede institutional development (Findlen, 2000). Positive growth in areas of conflict resolution on university campuses is present in both represented offices (SCCR and OSA), although it still remains unclear as to how

they were built in the absence of conflict resolution theory.

Formalized training prepares staff and administrators to manage conflict on a variety of issues that have now emerged and are ever-changing in higher education. Both universities are guided by policy, but without proper training, negative outcomes could ensue. As previously stated, proper training in conflict resolution bridges the gap between student service and university policy. University policies provide an optimal framework for the incorporation of student services that are based in conflict resolution. Services can provide lasting conflict resolution results and limited escalated conflicts which benefit both the student and the institution. In reference to university policy, progressive inclusion of conflict resolution theory limits the potential for arbitration, litigation, and costly and time consuming resources (Harris, 2007).

In the interview with the Public University's Associate Dean of the SCCR, he indicated that his office prides itself on helping the university and the community to find alternatives in resolving conflict. This type of philosophy has a direct impact on student satisfaction and retention. Public University's retention rate for 4-year undergraduate students is approximately 90 percent, exceedingly high for an institution of higher education. The SCRR believes that satisfaction with their services also leads to a positive association with the school and alumni loyalty.

The Associate Dean at Private University's OSA indicated a disjointed and fragmented process, where students may not be sure where to go for a help with a conflict. Also, it was stated that mediation only occurs in ORL, which is not overseen by the Associate Dean of the OSA. Student retention for 4 year undergraduate students is approximately 60 percent at Private University. Trained staff members, and the inclusion

of all student support units, have been used by universities to enhance the student experience, and to limit the potential antithetical conflicts.

### **Current Strengths**

Following the in-depth analysis, it was clear that both institutions were employing a number of effective strategies. Public and Private University have dedicated offices and personnel charged with the sole responsibility of addressing student disputes and grievances (SCCR & OSA). Each office handles a multitude of issues that stem primarily from each institution's student code of conduct. For example, as reflected in their mission statement, the SCCR at Public University states "Student Conduct and Conflict Resolution is dedicated to encouraging responsible community conduct, educating the [Public University] community, and implementing disciplinary action in situations where violations of the Student Conduct Code have occurred" (Public University, 2014a, "Student Conduct and Conflict Resolution," para. 1).

The student code of conduct serves as the social conscience of students, and each institution views their role as enforcing these basic behavioral principles in order to foster responsibility and accountability according to a set of established criteria. Both offices articulate their role as educational more than pejorative. For example, "Through the disciplinary process, it is our aim to help students understand the impact their behavior has on the global community, and to assist them with making future decisions that lead to personal and professional success" (Public University, 2014a, "Student Conduct and Conflict Resolution," para. 3).

Both offices have administrators that serve as Associate Deans in their respective office of student affairs. Having leaders of dispute resolution units at the level of

Associate Dean demonstrates a strong institutional commitment, as these officers report directly to Deans, positioning them with the highest level institutional decision makers. The Associate Deans in this study both acknowledge that they have strong support from upper administration for their office's function. This is a critical element in the development and maintenance of student dispute offices, as any recommendations for change will likely be supported, assuming they do not incur heavy financial costs.

The Associate Dean at Public University holds a Juris Doctorate (J.D.) degree and has experience in law and mediation with elements of conflict resolution. The structure and processes of the SCCR reflect his experience, as it is built on a strong foundation of clear guidelines that focus on shaping student conduct in order to enhance the experience of the entire university community. While the office was not explicitly built with theory and best practices in mind, SCCR does employ conflict resolution strategies, such as facilitative dialogue, reframing, and transformative mediation when resolving student issues. That said, the resolution strategies have not been systematically woven together, a point that will be further explained later in this study.

The Associate Dean at Public University has a strong background and training that coincides with the philosophies of conflict resolution. The SCCR utilizes campus resources with exceedingly tight budgets. The SCCR provides a certified training for a number of selected law students, which they then in-turn receive a certification to assist with university issued mediations. This also benefits the student, that they are certified to mediate in the state of Florida after their graduation from Public University. This university also seeks unconventional and untapped resources, such as staff that may have mediation or conflict resolution training from a previous position. These individuals offer



a unique or fresh approach to resolving conflict, and provide additional support and service for their student population.

Public University's SCCR office publicizes their services often by hosting events in areas of high student traffic, and by creating unique stations to assist students with managing conflicts. It has been noted that these events have been highly successful. In addition, the SCCR also offers on-going seminars and educational modules to serve as preventative measures for potential student conflict and problems, including substance abuse, plagiarism, ethical decisions, academic integrity, and the law as it relates to drugs and alcohol. The SCCR is very resourceful in the ways in which it leverages campus resources to support the office.

Private University's Associate Dean of the Office of Student Affairs has approximately 35 years of experience in higher education, with a terminal degree in education with a concentration in organizational development. The Associate Dean also oversees the Master of Science program in College Student Affairs. The OSA has experienced continuous support from the Vice President of Student Affairs, as well as the university's conflict resolution program (which provides graduate assistants who are currently enrolled in a conflict resolution program to assist with residential life mediations). The Associate Dean has been involved in recruiting the graduate assistants who are trained in conflict resolution trained for the residence halls. The program has been successful in teaching on-campus residential life students how to manage conflict using mediation. Additionally, the GA receives real world training to practice her mediation and conflict resolution skills while also receiving living assistance and partial tuition credit.

Private University's OSA serves as a resource for students after they are unable to find resolution with their school, college, faculty member, or residential assistant. The OSA offers support for students to remedy their situations using a standard a response that offers students the option to meet with the Associate Dean. The Associate Dean has an interest in listening to students to help them resolve their concerns in a safe environment. This office tries to de-escalate the issues as much as possible in order to reduce the need to proceed to a formal process.

Private University's OSA is flexible in the resolution approaches for student disputes that may arise. The variety of disputes is a minimal challenge, as opposed to the variability in managing graduate and undergraduate students. Private university's OSA approaches each conflict uniquely since the ages of students can range from 18 to 50. Regardless of the student's age and specific needs, the OSA adheres to university policy to fairly assist the student, and to protect the university.

### **Limitations**

Though Public University's SCCR office and Private University's OSA have several strengths, there are areas that could be improved to allow the system to function optimally. Students are using the services of these offices regularly, and it was reported that the offices can have three to 13 cases per week. In order to uncover any trends and patterns in student complaints, it is vital to the business process that data is collected regarding the number and nature of issues. By noting patterns and trends, changes in the business process could be implemented to decrease the volume of student complaints in a particular area, and to utilize resources in a more appropriate manner (Constantino & Merchant, 1996).

In addition to this basic descriptive data, detailed information related to student satisfaction should also be collected and reported. Interview data revealed that students from the SCCR office and the OSA are provided a survey immediately after they have received assistance, however follow-up reporting is not done to see if satisfaction persisted one, two, or three months afterwards. In addition, the concept of “satisfaction” should be more clearly operationalized to tap into the specific psychologically processes affected by the resolution and mediation process. In addition, no reporting is done that examines the link between going through the resolution process and retention. It would be enlightening to see if students who utilized conflict management services persisted at the same rate as students that had never used such services. Without adequate data collection and analysis, the true nature of the effectiveness of the conflict management systems will never be known.

The lack of a theory-driven process raises concerns about the logic that links strategies and program components to understanding the processes of change and student outcomes. Theory provides a practitioner with a logical foundation which helps explain how and why change occurs. In addition, the relative importance of the various program components can be better understood if those elements are rooted in theory. Finally, a theory-driven process can ensure that the delivery of service is implemented with consistency and fidelity to a tested model. Without a theory-based approach to student conflict resolution, the processes and resulting outcomes may vary widely. Without conflict resolution theory, critical pieces of the interaction between the parties that help the mediation process could be missed.

The staff members in the SCCR office have undergone training in mediation, but

the theory of transformative mediation specifically is an extension of mediation training. Transformative mediation allows for recognition and empowerment of the parties, and emphasizes the process rather than the outcome (Folger, 2008). The staff members within the OSA at Private University have not received training in the area of conflict resolution or mediation. Although they are trained mediators in residential life who manage roommate disputes, the residential life mediators do not report directly to Private University's Office of Student Affairs. Deutsch et al. (2011) explain that trained practitioners use analogical reasoning by identifying the path of resolution from past experiences. This is an example of how training enhances a practitioner's skills to best assist in a resolution process or solution.

Both the SCCR and the OSA emphasize the Student Code of Conduct on the introductions on their websites, as well as in the description of services on their websites. Terms such as "code of conduct," "violation," and "enforce," have negative connotations that could disengage a potential student from seeking help from this office. Warters (2000) explains that mediation programs in schools should establish a positive image, and that mediation is something that is essential to student engagement and growth. In addition, publicizing resolution programs in an inviting manner (using positive language) may convince students that conflict resolution is an intelligent choice as it relates to the higher education environment (Schrage, 2009; Warters, 2000).

Public University has two sets of offices, the SCCR and the Office of the Ombuds; both manage similar sets of student complaints, grievances, or disputes. The SCCR office offers a path of resolution for students through processes of mediation, restorative justice, facilitative dialogue, and conflict coaching. And, according to the

Public University's Office of the Ombuds website, the Ombuds serves as an interpreter of university policy, helps identify options for resolving issues, and serves as a mediator in some cases. With similar functions, a student may be confused as to which option is more or less formal, and which option best suits their issue.

As discussed earlier, OSA has several channels for resolution that a student may attempt prior to seeking the assistance of the OSA. The student must exhaust all of their options with the parties involved in the dispute, conflict, or grievance, prior to seeking the assistance of the OSA. Students may be confused or frustrated in finding the proper person to help them. The participant from Private University stated that problems are usually resolved prior to reaching their office. In addition, the student handbook does not mention that the OSA handles everyday complaints; it states that it manages a very specific area of discriminatory conduct. A student at Private University may be unsure which resolution path to take, or question which one will be the most effective. Deutsch et al. (2011) explain that an initial informal process helps establish effective working relationships, and reduces fears and tensions of the parties involved. The OSA offers a format for students to follow when contacting an advisor for assistance on their dispute. Again, this disjointed nature makes it difficult for a student to contact trained personnel with their issue. A student's ability to access information and assistance in a timely manner ultimately affects their overall satisfaction (Bennet, 2003). In addition, the formal process of filling out a form may deter the student from proceeding. Warters (2000) stresses the importance of supporting and enhancing informal processes in conflict-handling networks.

### **Proposed Theory for Student Dispute Resolution Program in Higher Education**

Higher education institutions have created a variety of approaches to handle conflict. Systems have been developed that are intended to help improve student service while simultaneously meeting accreditation requirements, and increasing overall accountability in order to effectively manage the growing needs of faculty, staff, and students. The question remains as to how these systems have been developed, and whether the systems that are in place have been built on foundations of theory in effective conflict management and dispute resolution. Warters (2000), states that a theory-based system that incorporates creative practice generates a well-prepared process. The following section will attempt to construct the basic foundation of a dispute resolution process in higher education. Development of the model will be based on best practices in the literature, current theories in conflict management and mediation, and logistical factors necessary for an effective system. The hope is that the proposed system is practical and that it can be easily implemented in any institution of higher education without incurring any financial cost or addition of resources.

**Initial step in the process – establishing a theoretical foundation.** While a variety of theoretical frameworks would fit the higher education context, this process will be built on an interest-based approach. While the goal of higher education is to provide a student with a foundation of knowledge and life skills to succeed in their future career, the same is true for transformative mediation. The theory of transformative mediation works collaboratively with the university's mission and their student dispute resolution processes to transform a student's approach toward conflict. In the dispute resolution processes for the universities studied, the emerging theme undoubtedly focused on transforming a student so they can manage conflict differently, disregard the

negative stigma of conflict, and walk away with applicable life skills.

Theory-driven processes in university conflict management will help increase the likelihood of a positive outcome for all stakeholders involved. As it currently stands, most existing conflict management systems are somewhat atheoretical, and include some elements of a variety of approaches, but there is no clear-cut evidence of any single theory. The strength in a theory-driven approach lies in the fact that the linkages between program components, strategies, and outcomes can be well understood and measured empirically. The more eclectic, atheoretical approaches do not allow for a systematic analysis of the program, leaving doubt as to which elements are most effective in reaching a positive outcome for the parties involved.

Transformative mediation theory is a theoretical framework that provides for recognition and empowerment for all of the parties involved; inclusion contributes to the development of the outcome. In higher education, it may not be beneficial to have the goal of having the conflict lead to a problem-solving resolution process. With a transformative mediation perspective, the parties would be empowered, and there would be mutual recognition of the parties involved (Burgess & Burgess, 1996). One of the primary goals for a dispute resolution process in higher education is to resolve issues in a positive way, in an effort to maintain student engagement and ultimately retention. Adopting elements of the transformative mediation approach may reduce the likelihood that any party will feel isolated, and this could ultimately help stabilize the relationship (Bush & Folger, 2005). In transformative mediation, the parties rely less on the direction of a mediator and more on each other to determine the outcome (Bush & Folger, 2005).

The emphasis in transformative mediation is not settlement-based, which can

intimidate or disrupt the relationship between the parties (Spangler, 2003). The understanding and empowering of dialogue between the parties facilitates progress in the conflict. Bush and Folger (2005) state that if the negative conflict cycle is not reversed, and the parties do not have some level of recognition of the other party, then it is unlikely that the parties will be at peace with themselves or each other. By disabling the potential to positively progress in a conflict resolution process, a student is more likely to be disengaged and unwilling to be move through a formal process. Less adversarial approaches to campus conflicts have provided an educational experience for students by teaching constructive and positive ways to approach conflict (Volpe & Chandler, 2001). These informal student development opportunities have become pivotal in student satisfaction. A collaborative approach between student and institution has proven to be more gratifying than formal and more adversarial approaches to conflict like litigation, arbitration, or negotiation (Warters, 2000).

Various offices on college and university campuses manage student disputes, which can cause unnecessary anxiety for the parties involved. The lack of one central independent unit that manages student disputes leads the student to feel uncertain about seeking help (Hoorebeek et al., 2011). Historically, student conflict resolution is managed through the offices of Ombudsman, Student Services, Student Conduct, and Judicial Affairs, just to name a few. The department in which the student dispute resolution process is housed impacts the likelihood that a student will seek assistance (e.g., Conflict Resolution Office in the Office of Judicial Affairs). Warters (2000), states the following about a service office

1. The office should not be just noted in the handbook.



2. The office should be made public.
3. The office should have cultural and stakeholder buy-in.

It should also be considered that after a student approaches the respective unit, intake data should be collected to identify any common trends that may be occurring at the institution or within the system. Data should be used to make necessary changes to anything within the university system that can enhance then university's prestige and enhance a student's experience. Surveys can be given to students after the transformative mediation process, and/or after a formal process has occurred. Trained conflict resolution staff will have the ability to collect data and share the trends with the supervisor of the unit. Students who have entered in a transformative mediation process will continue to feel empowered and recognized, that their opinions do matter, and that they university will evaluate the changes that need to occur. The measurement of success within a student dispute resolution office will be demonstrated through positive shifts in the conflict by incorporating elements for empowerment and recognition to positively influence the process.

To protect the student and the dispute resolution program, several processes need to be in place to ensure quality control (Warters, 2000). Appropriate recruitment and screening efforts should be made to select individuals who have a basic knowledge of, and commitment to, conflict resolution theory and practice. This approach allows the university community to be part of an exclusive program, and to be given real mediation experience. By using resources available on-campus such as a diverse range of student populations, faculty, and staff, each will be able to contribute a unique approach to managing disputes in a theory-driven dispute resolution system. Without the appropriate

program participants, a program is a simple shell that will have the inability work to its capacity.

Basic mediation training could be made mandatory so that program participants gain the basic skills needed to facilitate productive mediation sessions with students and other parties involved. Participants will be able to evaluate the training, which will allow for improvements to be made to the system. Training for these selected mediators will include an introduction to conflict resolution and the importance of applying a theoretically based system in to mediation processes. Conflict resolution, though rather complex, can be consolidated to include skills such as active listening, reflection, reframing, guided dialogues, etc. In addition conflict resolution and mediation practitioners can benefit from learning and being able to identify party tactics, such as, avoidance, escalation, toxic language, etc. Substantial and advanced training for administrators and managers should be achieved prior to overseeing program staff participants, as well as working with student disputes that involve making resolution recommendations for conflicts (Warters, 2000).

Continuing education is strongly recommended for all members of a student dispute resolution process. Conflict resolution is fluid, and enhancements to skills are necessary to meet the needs and changes of the student, staff, and faculty population. For example, as social media has grown on college campuses, so has the need to handle student disputes that occur in the virtual space. It has been noted that students use word of mouth to influence other students (Aldridge & Rowley, 2001). This eludes to caution when universities are managing present day conflicts, with the influences and viral nature of social media. Student codes of conduct and policies have also been modified to

address the social media phenomenon, and student affairs administrators are ramping up their knowledge to better assist with these conflicts and disputes. Therefore, continued training in conflict resolution and university trends is essential for any student dispute resolution process and program to function optimally.

Just as the feedback is essential for the training sessions for the program staff, so is the feedback from the program participants (students, faculty, and staff). The intake process will allow for a trained mediator to identify the sources of conflict, and recommend a course of resolution for the participant. Essentially the first step for the parties would be to apply transformative mediation to empower and provide recognition for the parties involved prior to shifting the conflict towards another path of resolution, e.g. restorative justice. During the intake process, an intake survey can be taken to identify what the party would like to gain for seeking a dispute resolution process. This will help the mediator in investigating opportunities for educational and moral growth. Bush and Folger (2005) explain that transformative mediation is a long-term process that encourages learning and encourages the emphasis on the relationship (school). University students that have a collective contribution to development process in conflict resolution are more likely to embrace responsibility and encourage the building of moral and ethical communities on campus (Dannells, 1997; Wilson, 2006).

Student surveys and a follow-up communication plan can assist the program to identify any gaps or enhancements that need to be made to the program. In addition, trends will begin to surface and stakeholders will need to be made aware of any indications of a reoccurring problem. Problems and complaints offer organizations a promising opportunity to correct processes and improve services to enhance future

experiences (Cornwell, Bligh, & Babakus, 1991). An effort to address student complaints and evaluate survey feedback ensures a university's success and student's satisfaction (Dolinsky, 1994; Jameson, 1998). Perhaps, efforts would include formal and informal changes to be implemented, such as modifications to student handbook or a roommate change.

University cultures embrace efforts to manage student disputes in a positive manner, are likely to have students seeking this type of service. It has been researched that students are less likely to search for help with a dispute if a positive and accessible forum does not exist (Harrison, 2007). A culture that embraces conflict resolution and management throughout, demonstrates an active and conflict preventative model for all universities. University cultures that promote collaborative approaches in conflict resolution practices will provide students with meaningful and appropriate support for their disputes. The cultural support for conflict resolution is linked to student satisfaction and retention for students that have utilized conflict resolution services. Kotler and Fox (1995) suggest that the students are least satisfied with the support services provided by the university. Students that dissatisfied with a service as part of their educational experience are less likely to remain enrolled (Elliott & Shin, 2002). A supportive conflict resolution culture can benefit in student loyalty by supplying them with the forum and the tools to approach conflict in positive ways.

### **Proposed Process**

**Initial contact at intake.** The first step in the student dispute resolution process would be ensuring that the student feels comfortable simply making the initial contact to the office. In order to eliminate the "traditional student" bias that some campuses

experience, the initial intake could include an advanced, web-based system that captures and triages the student issue. In line with best practices (Warters, 2000), the web-based intake would include an introduction to the process and what each student can anticipate when entering through this channel. Given that most students will come to a student affairs office with some trepidation, the tone of the introduction should be positive and inviting to help ease any anxiety and establish an environment of openness and trust (Weeks, 1994). Questions in the intake process should be devoid of jargon that could appear intimidating, formal or overly “legal.” Often times the terms that are used in explaining a conflict resolution process can paralyze the parties from wanting to seek a resolution as they feel as though the process is litigious. The perception for the party entering in to the process should be that of a positive and supportive tone, making the party feel as though the process they have entered into will be open, understanding and fair (Warters, 2000). In addition, Schrage (2009) states that the language can balance the administrative disciplinary context while incorporating a concern for an individual and for the well-being of the community. Building trust in this initial stage will be difficult, however building a positive atmosphere is necessary to remind people that conflict is not always negative (Weeks, 1994).

The types of questions posed in the intake interview should be carefully framed and crafted. Even at intake, an atmosphere where the student feels empowered and valued will set the early expectations for how the process will proceed. Questions should be framed in a personal way, such as: “How has this conflict, grievance, or dispute affected you?” or “How has your relationship with the other party involved changed as a result of this conflict?” or “What could you have done to deescalate the conflict?” A statement

after the form questions could include, “We understand that conflict is often time difficult to approach, and we are encourage that this process will help to transform you, the other party, and society.” By including questions and positively framed statements, can encourage student interaction and lessening the potential for avoidance.

This approach to student intake would demonstrate a level of individuality that connotes caring and focus on the individual rather than a generic, one-size-fits-all model (Bennett & Kane, 2010). Universities often refer to policy to handle student disputes, because it is readily available and indisputable. This can be ineffective because it deters the conflict from being interest based, and more organizationally heavy-handed.

**Triage and assignment of the case.** Once a student completes the web-based intake process, the case would be automatically sent to triage where the case would be assessed and reviewed by a trained staff member. The triage serves as the first point of analysis for all disputes, grievances, or complaints within the university. This initial decision would be to determine whether a formal or informal channel is needed to resolve the issue. In the event the case is deemed as informal, contact would be made with the appropriate university department indicating the nature of the issue. Even though the case entered an informal process, the conflict management office would continue tracking the case until resolution. Hence, the conflict office would become the central repository for all conflicts. The importance of treating all cases with the same level of monitoring and tracking is essential to providing quality service and fairness to all cases and to all students. In addition, the tracking process allows for the office to monitor the timeliness, efficiency, and resolutions for all informal and formal cases.

The tracking process of all cases would help the office to identify any recurring

issues in the business processes in the university. This would allow for any recurring issues to be identified and any missing elements in the system or opportunities to make system changes to better assist the student or the university. For example, if a student's advisor was unable to address their problem for two weeks because they were on vacation, then the student dispute resolution office can note that a recommendation would be to have coverage for all staff in situations involving vacation. The dispute resolution office should remain an active participant in the student's dispute throughout the process. The active engagement could demonstrate an effort to continually humanize the university while also serving in a proactive way to reduce future conflicts.

Deutsch et al. (2011) explain that conflict situations diminish the humanization between the parties, which could escalate the conflict and disables trust. Students should feel as if they are a part of the resolution process and that someone is helping to facilitate a resolution. Though, using transformative mediation as a guide, the outcome is not the sole measure of success, but rather the positive and constructive process can help in guiding a resolution (Bush & Folger, 2005). In conflict resolution cases in higher education, the dispute resolution office would actively seek information from the participants to gain insight into psychological aspects of the process and its outcome.

**Evidence based practice.** As is the case in many fields, a significant gap exists between theoretically based student dispute resolution processes and the practical use of applying theory in university systems. In this study, practitioners indicated that they valued research and theory as it applies to their respective offices, however, neither office employed theory or collected data to evaluate their system's effectiveness. Student dispute resolution offices, such as the OSA and the SCCR, rely more on anecdotal

evidence and experience rather than the literature for the design of their resolution processes. Both departments conduct mediations or elements of conflict resolution that have worked in remedying the problems in the immediate state, based on the students response to using their services. However, although they state that their methods of resolving student issues has been successful, it is unknown as to what the measure of success is as a result of unspecified outcomes. In these cases, evaluation research holds a vital component to quality control of the process and evaluating outcomes (Hansen, 2013).

Evaluating outcomes ensures that the processes are assisting parties within the conflict in ways that are intended to be effective and that these approaches are illustrated (Hansen, 2013). In the absence of this, student dispute resolution processes are providing a service without any clear measure of practicality. The gap that has been identified demonstrates that each office could spend more time in strengthening the dispute resolution design, and freeing up more time for thorough services. Both participants in this study indicated that there is not enough time to refine their processes due to the volume of cases that pass through their office. Should an evaluative based system be in place, each office would have the premise to refine services that meets the needs of each case more efficiently.

Services that utilize evaluative research and follow-up of services allow for services to be customizable to fit the needs of the parties and the system (Hansen, 2013). The evaluation method limits the uncertainty of outcomes such as strengths and weaknesses of their student dispute resolution process. This practice allows for a learning organization that coincides with the mission of each of the universities to evoke an



educational experience through conflict resolution practices.

**Evaluation and assessment.** Warters (2000) explains that when practitioners develop and implement a dispute resolution process, evaluation tools are necessary to help assess effectiveness and justify the program to help sustain support. Though administrative support is essential for a conflict resolution process, assessment and evaluation methods are required to meet accrediting standards, as well as a way to make essential changes to help a student and the university (Hart, 2002). Data collection should be an on-going process that begins with the initial contact and should continue through the entire process beyond discharge. The initial intake and triage process collects all information relevant to the conflict, and identifying the needs of the contacting party. This launches the process and its evaluation for the office of student disputes to identify trends and make recommendations to supporting units throughout the university. As universities compete for and the struggle to retain students, they would benefit from identifying the real student experience and making enhancements. The assessment would continue after the case has closed, as a good customer service research recommends. Understanding the party's satisfaction after the process is a good measure of what was effective and if the resolution or outcome remains satisfactory (Browne et al., 1998; Elliott & Shin, 2002).

When assessing and evaluating the data, Warters (2000) recommends using quantitative and qualitative data to best assess the program's effectiveness. Quantitative data helps to support any qualitative data that would be collected. Some potential measures would be: number of cases, number of walk-ins, number of mediations, testimonials and surveys from parties involved, documented staff training, number of

referrals, and cost-savings from lawsuits (Warters, 2000). Data collected would follow stand qualitative study methods, by categorizing cases and identifying themes. The themes would serve as indicators for case trends that are surfacing for the office of dispute resolution. In addition, data collected throughout the process could be beneficial to the university should the case to litigation. The data collection process would be comprehensive and inclusive of all correspondence.

### **Implications**

While the current study looked only at 2 universities, it appears as though they are representative of other typical public and private institutions. While caution needs to be taken when generalizing the results of a small sample study, there are some general findings that will likely hold true in many universities. For example, student affairs offices employed a wide range of conflict resolution techniques, from alternative dispute resolution, mediation, facilitation, and restorative justice. This spectrum indicated that both interest-based and rights-based approaches to student disputes. Depending on the nature of the case, the conflict resolution process for each is provided a unique resolution process. However, the level of fidelity with which these strategies have been employed is questionable given the lack of adherence to a theoretical framework.

While some assessment measures are in place for the programs, they typically focus only on student satisfaction and assess the construct only once when the process is complete. More detailed assessment practices need to be employed, tapping into questions related to the most effective components of the program, impact of entering the process on retention and engagement and an overall examination into the efficiency of the process. Warters (2000) suggests that a variance in methods allow for the focus on

settling the conflict rather than the process and learning opportunities inherent for most conflicts. As in transformative mediation, the emphasis of resolving the conflict resides in the process itself, and supporting the parties and relationship overall.

Warters (2000) agrees “that a one-size-fits all” is not the most effective way to manage the uniqueness of conflict, however, he recommends using a well-designed theory based system that channels parties through an informal process such as mediation prior to the conflict escalating to judicial affairs or arbitration. Though it was mentioned that some cases are preferably handled in a less formal manner, the results of satisfaction are unknown by the student and other participating parties. Both universities indicated administrative support for conflict resolution, and while one school indicated that faculty and staff support is positive, the other indicated that it is generally not as accepted by faculty and staff. The discrepancies in administrative support, indicates a system that is functioning well with the resources that are available, and the other indicates a need for a cultural shift to understand the nature of conflict resolution and dispute processes. Though the student dispute resolution structure exists, the lack of philosophical and theory driven practices could enhance both processes.

Because conflict resolution allows for opportunities for moral growth for the parties involved and continues student engagement throughout a progressive process, a theory-based student dispute resolution process that affects retention and student satisfaction holds great value. Kotler and Fox (1995) suggest that student satisfaction can develop with an integration of educational opportunities throughout a student’s educational career, specifically when conflicts arise. In addition, universities can be resourceful in applying conflict resolution theory in the most effective and cost saving

manners that are unique to their institution (Warters, 2000).

### **Limitations of the Study**

Limitations for this research were identified as sample size, diversity in the sample, and data collection. The research study included an in-depth analysis of the dispute resolution processes of two universities in Florida. Though each university provided unique approaches to conflict, a true indication of the differences between private and public institutions was needed. The findings were generalized as result of limits in the represented sample.

The sample was limited to one public and one private institution. The participants were directly responsible for the daily operations of a dispute resolution process. This represented a limitation, since there are multiple stakeholders responsible for the outcome of each dispute resolution case involving students. A future study could include a comprehensive analysis of one single institution with a detailed analysis of all programs, including online, and student, faculty and staff representation.

### **Recommendations**

Universities are not immune to conflict, and though many are taking the necessary steps to identify methods to assist with student conflicts some enhancements could benefit the process. In order to fully understand student behaviors and effective dispute resolution system several areas need to be fully explored.

One or more areas of development could be a thorough comprehensive dispute resolution program and its evaluation. The processes developed could use a theoretically-supported system utilizing conflict resolution and its application in a higher education context. The development and testing of training protocols for dispute resolution process

staff could enhance the success of both staff and student experience. Standards of best practices in dispute resolution processes in higher education are lacking, and could be developed as a means to satisfy SACS or other accrediting agencies requirements and protect both the student and institution. In addition to the accrediting requirements, an overall assessment of the dispute resolution process and its impact on specific outcomes should provide a support for any necessary improvements to the existing process.

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## Appendix A: Consent Form



### Consent Form for Participation in the Research Study Entitled *The Development of a Theoretically-Supported Model of Resolution for Student Complaints in Higher Education*

Funding Source: None

IRB protocol # 03031412

Principal investigator  
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For questions/concerns about your research rights, contact:  
Human Research Oversight Board (Institutional Review Board or IRB)  
Nova Southeastern University  
(954) 262-5369/Toll Free: 866-499-0790  
[IRB@nsu.nova.edu](mailto:IRB@nsu.nova.edu)

Site Information (if applicable): Participant's location of choice

#### **What is the study about?**

You are invited to participate in a research study. The goal of this study is to gain an in-depth understanding of the student dispute resolution processes in your University.

#### **Why are you asking me?**

You are being asked to participate because of your administrative position in the University. Your office is designated with the responsibility of handling student complaints and therefore fits the objectives laid out in the study. The study is qualitative in nature, targeting only 2 Universities and 1-2 personnel per University.

#### **What will I be doing if I agree to be in the study?**

You will be taking part in an in-depth qualitative interview by the researcher, Ms. Laura Garrido. Ms. Garrido will ask you questions about the student dispute resolution process that you oversee. You will not be asked questions regarding student records, but only the processes that occur. The interview will last no more than 1 hour.

**Is there any audio or video recording?**

The research project will include audio recording of the interview. The audio recording will be available to be heard by Ms. Laura Garrido, personnel from the IRB, and the dissertation chair, Dr. Neil Katz. The recording will be transcribed by Ms. Laura Garrido. Ms. Garrido will use earphones while transcribing the interviews to guard your privacy. The recording will be kept securely in Ms. Garrido's office in a locked cabinet. The recording will be kept for 36 months from the end of the study. The recording will be destroyed after that time by deleting the audio recording. Because your voice will be potentially identifiable by anyone who hears the recording, your confidentiality for things you say on the recording cannot be guaranteed although the researcher will try to limit access to the tape as described in this paragraph.

**What are the dangers to me?**

Risks to you are minimal, meaning they are not thought to be greater than other risks you experience every day. Being recorded means that confidentiality cannot be promised. Sharing your university's process may make you anxious. If this happens, Ms. Garrido will try to help you and reword the research question. If you have questions about the research, your research rights, or if you experience an injury because of the research please contact Ms. Garrido at (954) 333-6220. You may also contact the IRB at the numbers indicated above with questions about your research rights.

**Are there any benefits to me for taking part in this research study?**

This benefit to this study will be the ability to seek a theoretically-supported system in conflict resolution for handling student disputes in higher education. Theories from conflict resolution will be applied to a higher education setting in an effort to develop a robust system that can adequately deal with issues common to universities.

**Will I get paid for being in the study? Will it cost me anything?**

There are no costs to you or payments made for participating in this study.

**How will you keep my information private?**

The transcripts of the tapes will not have any information that could be linked to you. As mentioned, the tapes will be destroyed 36 months after the study ends. All information obtained in this study is strictly confidential unless disclosure is required by law. The IRB, regulatory agencies, or Dr. Katz may review research records.

**What if I do not want to participate or I want to leave the study?**

You have the right to leave this study at any time or refuse to participate. If you do decide to leave or you decide not to participate, you will not experience any penalty or loss of services you have a right to receive. If you choose to withdraw, any information collected about you **before** the date you leave the study will be kept in the research records for 36 months from the conclusion of the study and may be used as a part of the research.

**Other Considerations:**

If the researchers learn anything which might change your mind about being involved, you will be told of this information.

**Voluntary Consent by Participant:**

By signing below, you indicate that

- this study has been explained to you
- you have read this document or it has been read to you
- your questions about this research study have been answered
- you have been told that you may ask the researchers any study related questions in the future or contact them in the event of a research-related injury
- you have been told that you may ask Institutional Review Board (IRB) personnel questions about your study rights
- you are entitled to a copy of this form after you have read and signed it
- you voluntarily agree to participate in the study entitled *The Opinions of Patients on their Treatment*

Participant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Participant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Person Obtaining Consent: \_\_\_\_\_

Date: \_\_\_\_\_



## **Appendix B: Qualitative Interview Protocol**

1. How are student disputes resolved in your office?
2. What type of training is available for your staff?
3. Does the training involve mediation or conflict resolution theory?
4. Does your office serve as the central point of student dispute resolution?
5. What appears to be working well with the current student dispute resolution system?
6. What are some symptoms or examples of what is NOT working in the current resolution system?
7. What are some potential contributing factors as to why the current system does not work optimally?
8. In your current position, what are the objectives that a good student dispute resolution system would or should meet?
9. What would you suggest as ways to build a better system?
10. From your perspective, is there an appropriate degree of emphasis on enforcing policy (legalistic aspects) of the problems and conflicts you manage?

### **Appendix C: Draft Email and Phone Call Message for Recruitment**

Dear Potential Participant,

My name is Laura Garrido and I am a Conflict Analysis and Resolution Doctoral Student from the School of Humanities and Social Sciences at Nova Southeastern University. I am currently working on a dissertation proposal that will seek to explore and understand student affairs and student resolution processes in Higher Education. The study will employ a qualitative methodology, where I seek to understand the student resolution system from the perspective of the institution. My committee has asked that I reach out to universities and in an attempt to gain accesses to key administrators in these areas. At this point, I was hoping I could set up some time to speak to you or a designee about my proposal as well as to assess your interest in serving as a possible participant in the study. Please note that I will NOT be speaking to students or reviewing student records or data. In the spirit of good qualitative research, I am interested in gathering useful insights from potential participants that would help in building a theoretical model for addressing student conflicts in higher education. Should you wish to contact me you could do so either through this email address or by phone at 954-336-6220. Thank you in advance.

Sincerely,  
Laura Garrido

*\*NOTE: This is a draft of the email message that will be sent to potential participants. This message will also serve as a script for a follow-up phone call.*

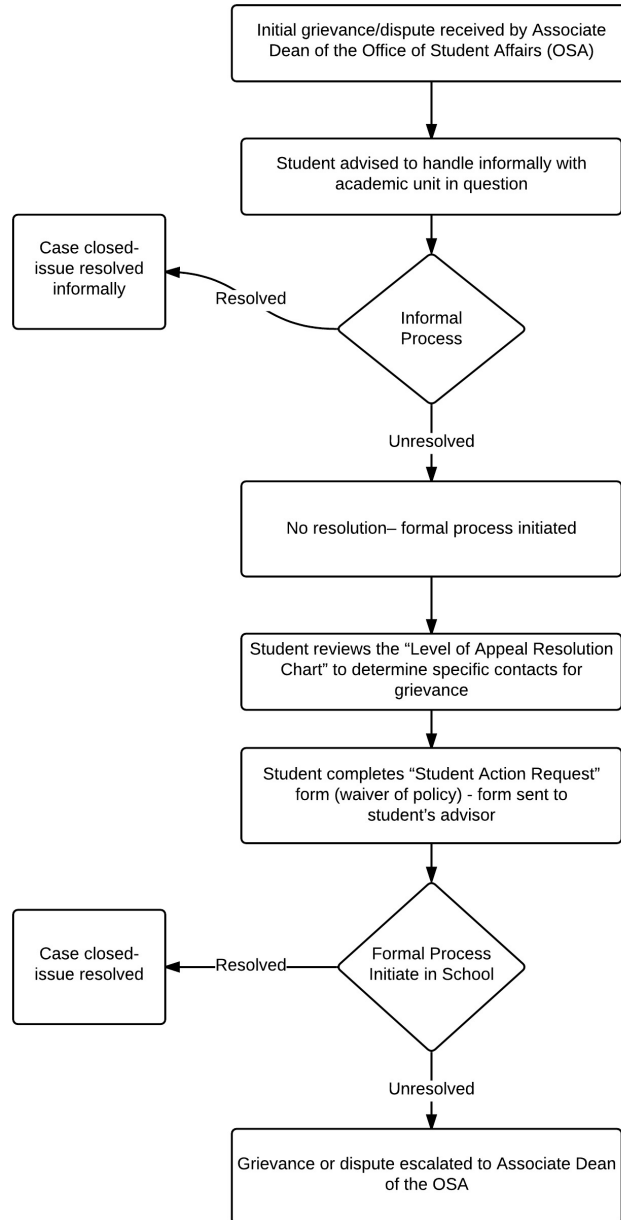
### **Appendix D: Participant Demographic Information**

Please complete the following demographic information:

1. Age\_\_\_\_\_
2. Sex (please circle)    Male    Female
3. Please select your terminal degree:
  - Undergraduate/Bachelor's Degree
  - Master of Arts
  - Master of Science
  - Ph.D.
  - Ed.D.
  - J.D.
4. Please indicate the specialization/degree concentration of the highest degree earned:\_\_\_\_\_
5. Please list your job title:\_\_\_\_\_
6. Approximately how many years have you worked in higher education\_\_\_\_\_

### **Appendix E: Student Dispute/Grievance Processes for Public and Private University**

	ADR	Mediation	Grade Dispute	Title IX	Ombudsman	Workshop
Private	X	X	X	X		X
Public	X	X			X	X

**Appendix F: Private University Student Grievance/Dispute Process**

## Appendix G: Public University Student Grievance/Dispute Process

